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**Author / Auteur:** **Ms. Marvin Bernstein**  
Chief Policy Advisor  
  
Unicef Canada  
  
mbernstein@unicef.ca

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Meeting

**Due Date / Date d'échéance:** 2016-01-22

**Sector's Due Date / Date d'échéance du secteur:**

**Assigned To / Assigné à:** CS-MS-MLU  
Julie Gauthier

**Assigned Date / Assigné le:** 2016-01-18

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D:  Draft response / Faire un projet de réponse  
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remarques)  
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remarques)  
I:  For your information (no action required) / À titre d'information (aucune mesure requise)

CC: MLU  
CC:  
CC:

CC: J. GAUTHIER  
CC:  
CC:

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CC:

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CC:

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Ministerial Correspondence Unit - Justice Canada

*F16-001190*

**From:** Wilson-Raybould, Jody - M.P. <Jody.Wilson-Raybould@parl.gc.ca>  
**Sent:** January-14-16 3:39 PM  
**To:** Ministerial Correspondence Unit - Justice Canada  
**Subject:** FW: Meeting Request - January 28th any time or morning of January 29th  
**Attachments:** Marvin Bernstein BIO (December 2015).pdf; DomesticPolicyBrochure\_EN\_web.pdf; DomesticPolicyBrochure\_FR\_web.pdf

*CS-MS-MU*

*10000k*

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**From:** Marv Bernstein [mailto:MBernstein@unicef.ca]  
**Sent:** January 14, 2016 2:44 PM  
**To:** Wilson-Raybould, Jody - M.P.  
**Cc:** Blair, Bill - M.P.  
**Subject:** Meeting Request - January 28th any time or morning of January 29th

Dear Minister Wilson-Raybould,

My name is Marv Bernstein and my position is that of Chief Policy Advisor for UNICEF Canada. I also hold the position of Chair of the Canadian Bar Association National Children's Law Committee. I am attaching both my CV and our UNICEF Canada domestic policy advocacy brochure (English and French versions)..

I have had an extensive history in child welfare law and have authored several UNICEF Canada briefs in response to both federal and provincial/territorial bills.

At UNICEF Canada, we have been providing training on Child Rights Impact Assessments and these are now being used in a few provinces, but we hold the view that they could be utilized at the federal level to ensure that children's rights and interests under the Convention on the Rights of the Child are being effectively upheld.

I am also a member of the Jordan's Principle Working Group and a network group that has copied you on a letter to the Prime Minister calling for the repeal of section 43 of the *Criminal Code*.

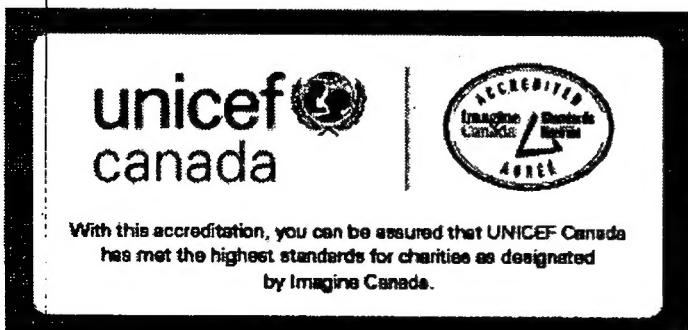
I will be in Ottawa on January 28<sup>th</sup> and 29<sup>th</sup> and am requesting a meeting for any time on January 28<sup>th</sup> or the morning of January 29<sup>th</sup>.

Regards, Marv

s.19(1)

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Marvin Bernstein  
Chief Policy Advisor/Conseiller principal en matière de politiques  
UNICEF Canada  
mbernstein@unicef.ca  
Tel./Tél.: +1 416 482 6552 ext/poste [REDACTED]  
www.unicef.ca | facebook.com/UNICEF-Canada | @UNICEFLive





**Marvin M. Bernstein, B.A., J.D., LL.M.  
Chief Policy Advisor, UNICEF Canada**

Marvin Bernstein is the Chief Policy Advisor at UNICEF Canada.

Marv is a lawyer with 38 years of professional experience. Prior to working with UNICEF, Marv served as Saskatchewan's second Children's Advocate from 2005 to 2010. In this role Marv was an independent officer of the Saskatchewan Legislative Assembly and was mandated to carry out individual and systemic advocacy, investigations, monitoring, public education and youth engagement, and promote the interests and well-being of children and youth in receipt of services from the Saskatchewan government.

Marv had 28 years of advocacy and senior leadership experience in the child welfare field in Ontario prior to assuming his appointment as Children's Advocate in Saskatchewan.

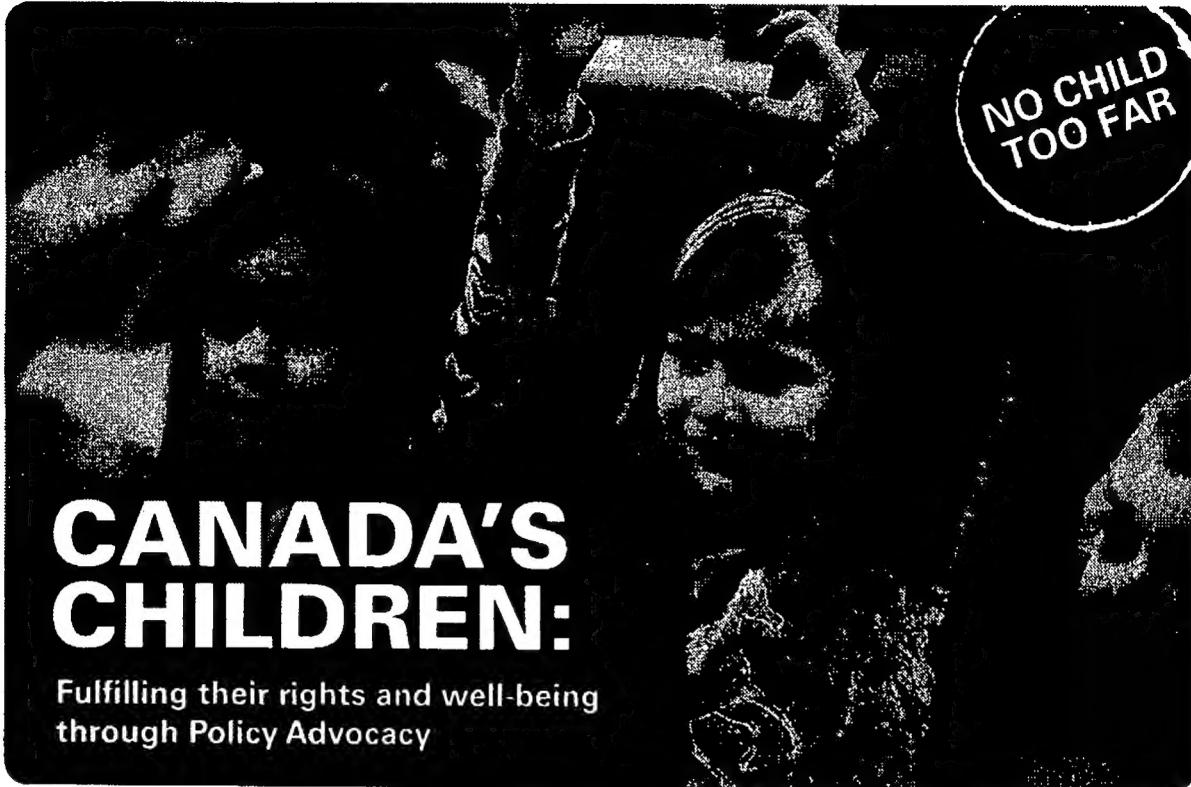
Marv has a Bachelor of Arts, a Juris Doctor and a Master of Laws in Alternative Dispute Resolution. He has been called to the Bar in both Ontario and Saskatchewan. He has provided legal representation in child welfare cases at all court levels, including in the Supreme Court of Canada.

Marv served from 2001 to 2005 as the Director of Policy Development and Legal Support at the Ontario Association of Children's Aid Societies in Toronto. For 20 years previous, he served as Chief Counsel to the Catholic Children's Aid Society of Toronto. Prior to that, Marv acted as In-House Counsel for the Children's Aid Society of York Region in Newmarket, Ontario for three years. Marv has made a number of presentations in both the Ontario and Saskatchewan Legislatures and to Standing Committees in the House of Commons and Senate in Ottawa.

Marv is a widely published author, having written extensively in the areas of children's rights, child welfare, adoption, mediation, corporal punishment, privacy and access to information in the child welfare sector, inquests and social worker liability. He also serves as Chair of the National Children's Law Committee of the Canadian Bar Association and is a member of the Board of Directors of the Children's Aid Society of Toronto.

Marv has been awarded both the Saskatchewan Centennial Medal and the Queen Elizabeth II Diamond Jubilee Medal, and is the recipient of both the Child Welfare League of Canada Advocacy Award and the North America Council on Adoptable Children Adoption Activist Award.





# CANADA'S CHILDREN:

Fulfilling their rights and well-being through Policy Advocacy

UNICEF is mandated by the United Nations General Assembly to advance the universal, human rights of children as enduring principles and standards – to ensure a “first call for children” in their societies and equitable opportunities to reach their fullest potential.

We believe that every child is the first

UNICEF Canada delivers UNICEF's mission for children in Canada through policy

dialogue and advocacy. Policy advocacy is an essential aspect of UNICEF's work because it generates lasting, systemic change for children. The global scale of UNICEF's work provides a unique context for learning from experience; producing evidence and data as a public good; shifting public attitudes about children; and increasing the priority afforded children in policy, resource allocation and other actions that influence child well-being.



**The well-being of children is the most important measure of the well-being of a society.**

## Policy Advocacy for Children

We bring the issues and concerns of children in Canada to the attention of governments at all levels and others who influence and develop policy, law and practice. Through research, policy briefs, presentations, parliamentary processes, special events and other efforts, we influence perspectives, policies, laws and decisions affecting children on a wide range of issues to align with children's human rights and well-being.

## Training and Education



We offer training and education workshops and presentations to support governments, organizations and other professionals to use the Convention on the Rights of the Child to strengthen their work for and with children. Children's universal human rights are the standards in international law for the treatment of children, to support their optimal survival, development and protection. The Convention on the Rights of the Child was ratified by Canada in 1991. Realizing the promise of the Convention is an ongoing, progressive commitment. The Convention is a useful framework to advance the well-being of children because it provides a comprehensive view of the interdependent conditions to scaffold child well-being, it makes clear what children are entitled to, it distinguishes the roles and responsibilities of different actors and articulates the principles that should guide all actions for children. Using the Convention to develop policies, laws, programs, services, administrative procedures and other decisions and actions leads to better outcomes for children.

UNICEF Canada has useful resources at  
[unicef.ca/en/policy-advocacy-for-children](http://unicef.ca/en/policy-advocacy-for-children)

Contact [policy@unicef.ca](mailto:policy@unicef.ca) for current training opportunities.

## Research and Data for Children

The UNICEF Innocenti Research Centre in our global Office of Research is the main research arm of UNICEF. We work with young people and a wide range of organizations and champions to change the dialogue about children and childhood. We generate original research, pioneer data and develop tools to advance understanding of children's lives, stimulate debate, identify needs and point to effective solutions.

Find UNICEF research and data for children at  
[unicef.ca/en/policy-advocacy-for-children/research-and-policy-analysis](http://unicef.ca/en/policy-advocacy-for-children/research-and-policy-analysis)

### UNICEF Report Cards

UNICEF's Report Card series provides unique insights into the well-being of children in industrialized countries. International comparison demonstrates what it is possible to achieve when societies mobilize their resources, capacities and dreams to nurture great childhoods.

See the series at [unicef-irc.org/publications/series/16](http://unicef-irc.org/publications/series/16) and our most recent Report Card at [unicef.ca/irc12](http://unicef.ca/irc12)



# Child-sensitive Governance



We work with governments at all levels to elevate the priority afforded children in decision-making and action that shapes the conditions in which children grow up. While the actions of governments may seem remote from the daily lives of children, almost every area of government policy affects children to some degree, directly or indirectly. Children are particularly vulnerable because of their dependence on adults, their lesser social and legal status and the risk to their lifelong prospects if deprived of the conditions necessary for good childhood development. Governments who ratify the Convention on the Rights of the Child have committed to give consideration to children as their first duty. Governance for children involves creating the processes and mechanisms to support that duty. They include tracking resource allocation for children in budgets, formulating laws that protect and support children's human rights and creating independent advocates or representatives for children.

## Child Rights Impact Assessment

Child Rights Impact Assessment (CRIA) can be an effective process to consider in advance the potential impacts of a decision on children, so adjustments or mitigating measures can be taken. UNICEF Canada works with governments and other organizations to integrate CRIA in their work. Learn more, participate in discussion and exchange with others, contribute resources and develop your practice in the CRIA Community of Practice at [cricommunity.org](http://cricommunity.org).

## Children's Commissioners and Advocates

Every government or agency with responsibility for children's rights should establish independent advocates, representatives, ombudspersons or commissioners for children to ensure their interests and views are known and issues resolved in timely and appropriate ways. UNICEF Canada works with these offices in Canada and worldwide to promote and support good practices.

## Building the Legal Framework for Children

UNICEF Canada's legislative briefs, parliamentary submissions and policy dialogue aim to ensure children's interests are elevated and the legislative framework supports their rights.

See [unicef.ca/en/article/submissions-and-briefs](http://unicef.ca/en/article/submissions-and-briefs)

# Innovation for Children

We spark innovative approaches to advance the well-being of children by collaborating with a broad and diverse range of Canadians and taking a comprehensive view of children's lives. UNICEF's global Innovation Unit supports the application of design thinking through Innovation Labs that bring together the private sector, academia, governments and other experts together with young people to develop creative and sustainable solutions to pressing challenges.

Learn more at [innovateforchildren.org](http://innovateforchildren.org) or take a design challenge for children at [unicefinnovation.org](http://unicefinnovation.org)

UNICEF Canada is exploring the potential to bring UNICEF's global expertise in data generation and social innovation to a "children's observatory" in Canada. An observatory for and with Canada's children would foster innovative approaches to child well-being and belonging. Contact [policy@unicef.ca](mailto:policy@unicef.ca) to learn more.



# Child and Youth Initiatives in Canada

We work with young people and a wide range of organizations and champions to create and steward initiatives that get Canadians engaged in promoting children's rights and well-being:



## Celebrate National Child Day

[unicef.ca/ncd](http://unicef.ca/ncd)

National Child Day is celebrated in Canada on November 20 in recognition of the UN Convention on the Rights of the Child. It is the time for young Canadians to express themselves and shape their own future. Our *Bring Your MP to School Day* is one way to celebrate their time to be heard.

## Global Classroom

[unicef.ca/globalclassroom](http://unicef.ca/globalclassroom)

Global Classroom is UNICEF Canada's portal to support teaching and learning for global citizenship and rights respecting education.

## Rights Respecting Schools

[rightsrespectingschools.ca](http://rightsrespectingschools.ca)

UNICEF Canada's Rights Respecting Schools initiative works with Canada's education sector to support healthy, respectful relationships in schools.

## Child Friendly Cities

[unicef.ca/en/article/child-friendly-cities](http://unicef.ca/en/article/child-friendly-cities)

Local governments are closest to children – to their families and communities. Child Friendly Cities in Canada and worldwide ensure that local communities develop to help children thrive.

## Baby Friendly Initiatives

[unicef.ca/en/article/the-baby-friendly-hospital-initiative](http://unicef.ca/en/article/the-baby-friendly-hospital-initiative)

UNICEF facilitates the international Baby Friendly Hospital Initiative ([unicef.org/programme/breastfeeding/baby.htm](http://unicef.org/programme/breastfeeding/baby.htm)) to support breastfeeding, implemented in Canada by governments, birthing facilities and the Breastfeeding Committee for Canada, so that every infant has the best start in life.

To transform the world by securing the rights of children. Through advocacy we are working to generate informed dialogue about children and childhood, elevate the priority afforded children broadly in Canada's institutions, and innovate solutions to advance their well-being so that every child can grow up in the conditions promised in the Convention on the Rights of the Child.



## LES ENFANTS AU CANADA :

respecter leurs droits et assurer leur  
bien-être grâce à la défense des politiques

L'UNICEF est mandaté par l'Assemblée générale des Nations Unies pour promouvoir les droits fondamentaux et universels de l'enfant en tant que principes et normes imprescriptibles, afin de s'assurer qu'une priorité absolue est accordée aux enfants au sein de leur société et qu'ils ont des possibilités égales de réaliser pleinement leur potentiel.

Nous croyons aussi que l'enfant a le droit à tout, où qu'il soit.

UNICEF Canada s'acquitte de la mission de l'UNICEF en faveur des enfants au Canada

par le dialogue et la défense des politiques. La défense des politiques constitue un aspect essentiel du travail de l'UNICEF car elle génère des changements systémiques durables pour les enfants. Les activités de l'organisme à l'échelle mondiale procurent un contexte unique pour apprendre grâce à notre expérience; produire des preuves et des données en tant que biens publics; changer les attitudes du public concernant les enfants; et accroître la priorité qui leur est accordée dans les politiques, l'allocation des ressources et les autres actions qui influent sur leur bien-être.

**unicef**   
canada

**Le bien-être des enfants est  
la mesure la plus importante  
du bien-être d'une société.**

## Défense des politiques en faveur des enfants



Nous portons les questions et les préoccupations concernant les enfants au Canada à l'attention de tous les paliers gouvernementaux et des autres personnes qui influencent et établissent les politiques, les lois et les pratiques. Au moyen d'études, de mémoires, de présentations, de processus parlementaires, d'événements spéciaux et d'autres programmes, nous influençons les points de vue, les politiques, les lois et les décisions qui touchent les enfants dans un vaste éventail de questions, afin de les mettre en adéquation avec les droits fondamentaux et le bien-être de ces derniers.

## Formation et éducation



Nous offrons des ateliers de formation et d'éducation, de même que des présentations afin d'aider les gouvernements, les organisations, et les autres professionnelles et professionnels à utiliser la Convention relative aux droits de l'enfant des Nations Unies (la Convention) afin de renforcer leur travail effectué pour les enfants, et avec eux. Les droits fondamentaux et universels des enfants constituent les normes du droit international pour le traitement de ces derniers, et pour assurer leur survie, leur protection et leur développement à un degré optimal. La Convention a été ratifiée par le Canada en 1991. La mise en œuvre de la Convention est un engagement progressif continu. La Convention représente un cadre utile pour faire progresser le bien-être de l'enfant, car elle procure une vue d'ensemble des conditions interdépendantes pour favoriser le bien-être de l'enfant, clarifie ce à quoi les enfants ont droit, détermine les rôles et responsabilités des différentes parties concernées, et définit les principes qui devraient guider toutes les actions pour les enfants. L'utilisation de la Convention pour établir des politiques, lois, programmes, services, procédures administratives, et autres décisions et actions donne lieu à de meilleurs résultats pour les enfants.

UNICEF Canada offre des ressources utiles au [unicef.ca/fr/discover-fr/article/defendre-les-politiques-en-faveur-des-enfants](http://unicef.ca/fr/discover-fr/article/defendre-les-politiques-en-faveur-des-enfants).

Pour connaître les possibilités de formation, veuillez communiquer avec nous en écrivant à [policy@unicef.ca](mailto:policy@unicef.ca).

## Recherche et données pour les enfants

Le Centre de recherche Innocenti de l'UNICEF est notre principale division mondiale de recherche. Nous travaillons avec des jeunes, un vaste éventail d'organisations, et des défenseurs des droits, afin de transformer le dialogue sur les enfants et l'enfance. Nous créons des études originales, produisons des données d'avant-garde et concevons des outils afin de faire progresser la compréhension de la vie des enfants, stimuler le débat, reconnaître les besoins, et suggérer des solutions efficaces.

Vous trouverez les études de l'UNICEF et des données concernant les enfants au [unicef.ca/fr/discover-fr/article/analyse-des-recherches-et-des-politiques](http://unicef.ca/fr/discover-fr/article/analyse-des-recherches-et-des-politiques).

### Bilans Innocenti de l'UNICEF

La série des Bilans Innocenti de l'UNICEF donne un aperçu unique du bien-être des enfants dans les pays industrialisés. La comparaison internationale démontre ce qu'il est possible de réaliser lorsque les sociétés mobilisent leurs ressources, leurs capacités et leurs rêves pour favoriser une enfance belle et agréable.

Consultez la série au [unicef-irc.org/publications/series/16](http://unicef-irc.org/publications/series/16) et notre plus récent Bilan Innocenti au [unicef.ca/bi12](http://unicef.ca/bi12).



## Gouvernance respectueuse de l'enfant



Nous travaillons en collaboration avec tous les paliers gouvernementaux afin d'accroître la priorité accordée aux enfants dans le processus décisionnel et les actions qui façonnent les conditions dans lesquelles ils grandissent. Bien que les actions des gouvernements puissent paraître éloignées de la vie quotidienne des enfants, pratiquement tous les domaines de la politique gouvernementale touchent directement ou indirectement les enfants dans une certaine mesure. Les enfants sont particulièrement vulnérables, en raison de leur dépendance à l'égard des adultes, de leur statut social et juridique inférieur, et du risque pour leurs perspectives d'avenir, s'ils sont privés des conditions nécessaires à leur sain développement. Les gouvernements qui ont ratifié la Convention se sont engagés à prendre les enfants en considération et à en faire leur priorité absolue. Une gouvernance pour les enfants suppose la création de processus et de mécanismes pour concrétiser cet engagement. Ceux-ci comprennent le suivi de l'allocation des ressources pour les enfants dans les budgets; la formulation de lois qui protègent et soutiennent les droits fondamentaux des enfants; et la nomination de représentantes, de représentants ou de défenseurs indépendants des enfants.

### Évaluation de l'impact sur les droits de l'enfant

L'évaluation de l'impact sur les droits de l'enfant peut être un processus efficace pour tenir compte à l'avance des conséquences d'une décision sur les enfants, afin de pouvoir apporter des ajustements ou d'adopter des mesures d'atténuation. UNICEF Canada travaille en collaboration avec les gouvernements et d'autres organisations afin d'intégrer ces méthodes d'évaluation à leurs activités. Apprenez-en plus, prenez part à la discussion et échangez des idées avec d'autres, contribuez aux ressources et améliorez vos pratiques en matière d'évaluation de l'impact sur les droits de l'enfant au [criacommunity.org](http://criacommunity.org).

### Défenseurs des droits et commissaires à l'enfance

Tout gouvernement ou organisme responsable des droits de l'enfant devrait désigner des défenseurs, représentantes ou représentants, médiaterices ou médiateurs, ou commissaires indépendants afin de veiller à ce que les intérêts des enfants et leurs points de vue soient connus, et que les problèmes soient résolus de manière opportune et appropriée. UNICEF Canada travaille en collaboration avec de tels bureaux au Canada et à l'échelle mondiale afin de promouvoir et de soutenir de saines pratiques.

### Bâtir le cadre juridique pour les enfants

Les mémoires législatifs, les présentations parlementaires et le dialogue politique d'UNICEF Canada ont pour objet de s'assurer que l'intérêt supérieur de l'enfant est prioritaire et que le cadre législatif respecte ses droits. Consultez le [unicef.ca/fr/discover-fr/article/propositions-et-recommandations](http://unicef.ca/fr/discover-fr/article/propositions-et-recommandations).

Dans toutes les décisions qui concernent les enfants, qu'elles soient la responsabilité des institutions publiques ou privées de protection sociale, des tribunaux, des autorités administratives ou des organes législatifs, l'intérêt supérieur de l'enfant doit être une considération primordiale.

— Article 3, Convention relative aux droits de l'enfant des Nations Unies

## Innover pour les enfants

Nous créons des approches novatrices pour améliorer le bien-être de l'enfant, en travaillant en collaboration avec un éventail vaste et diversifié de Canadiens et de Canadiens afin d'avoir une vue d'ensemble de la vie des enfants. La division mondiale de l'innovation de l'UNICEF appuie la mise en application de la pensée conceptuelle au moyen de laboratoires d'innovation qui rassemblent des spécialistes du secteur privé, des universitaires, des membres des gouvernements, d'autres experts et experts, et des jeunes afin de trouver des solutions créatives et durables aux enjeux pressants.

Apprenez-en plus au [innovateforchildren.org](http://innovateforchildren.org) ou relevez un défi de créativité pour les enfants au [unicefinnovation.org](http://unicefinnovation.org).

UNICEF Canada étudie la possibilité d'apporter l'expertise mondiale de l'UNICEF en matière de production de données et d'innovation sociale dans le cadre d'un « observatoire des enfants » au Canada. Au Canada, un observatoire mis sur pied pour les enfants et avec eux favoriserait des approches novatrices pour stimuler le bien-être de l'enfant et son sentiment d'appartenance. Communiquez avec nous en écrivant à [policy@unicef.ca](mailto:policy@unicef.ca) afin d'en savoir plus.



## Programmes pour les enfants et les jeunes au Canada

Nous travaillons en collaboration avec les jeunes et un vaste éventail d'organisations et de défenseurs des droits afin de créer et de coordonner des initiatives permettant aux Canadiens et aux Canadiennes de participer à la promotion des droits de l'enfant et de son bien-être :



### Journée nationale de l'enfant [unicef.ca/jne](http://unicef.ca/jne)

Au Canada, la Journée nationale de l'enfant est célébrée le 20 novembre en reconnaissance de la Convention relative aux droits de l'enfant des Nations Unies. C'est l'occasion pour les jeunes de s'exprimer et de façonner leur propre avenir. Notre journée Invitez votre député ou députée à votre école! est l'un des moyens de souligner cette possibilité qui s'offre à eux d'être entendus.

### Le monde en classe [unicef.ca/lemondeenclasse](http://unicef.ca/lemondeenclasse)

Le monde en classe est le portail d'UNICEF Canada pour soutenir l'enseignement et l'apprentissage de la citoyenneté mondiale, ainsi qu'une éducation respectueuse des droits.

### Écoles Respectueuses des Droits [rightsrespectingschools.ca](http://rightsrespectingschools.ca)

Dans le cadre de son initiative Écoles Respectueuses des Droits, UNICEF Canada travaille avec le secteur de l'éducation du Canada afin de promouvoir des relations saines et respectueuses dans les établissements scolaires.

### Villes amies des enfants [unicef.ca/fr/discover-fr/article/municipalites-amies-des-enfants](http://unicef.ca/fr/discover-fr/article/municipalites-amies-des-enfants)

Les gouvernements municipaux sont plus près des enfants, de leur famille et de leur communauté. Les Villes amies des enfants au Canada et à l'échelle mondiale s'assurent que les communautés se développent de manière à permettre aux enfants de s'épanouir.

### Hôpitaux amis des bébés [unicef.ca/fr/discover-fr/article/breastfeeding-the-best-start-to-life](http://unicef.ca/fr/discover-fr/article/breastfeeding-the-best-start-to-life)

L'UNICEF facilite l'initiative internationale Hôpitaux amis des bébés ([unicef.org/programme/breastfeeding/baby.htm](http://unicef.org/programme/breastfeeding/baby.htm)) qui fait la promotion de l'allaitement maternel. Cette initiative a été mise en place au Canada par les gouvernements, les centres de naissance et le Comité canadien pour l'allaitement, afin que chaque nourrisson ait le meilleur départ possible dans la vie.

de transformer le monde en faisant respecter les droits de l'enfant. Par la défense et la promotion de ces droits, nous nous employons à générer un dialogue ouvert sur les enfants et l'enfance, à accroître la priorité accordée aux enfants dans les institutions canadiennes, et à créer des solutions novatrices afin d'améliorer leur bien-être et pour que chaque enfant puisse grandir dans les conditions qui sont décrites dans la Convention relative aux droits de l'enfant des Nations Unies.

**To:** 'mberstein@unicef.ca'[mberstein@unicef.ca]  
**Sent:** Fri 5/13/2016 1:28:19 PM  
**From:** Ministerial Correspondence Unit - Mailout  
**Flag Status:** 0x00000000  
**Subject:** Correspondence from the Minister of Justice and Attorney General of Canada

Released under the Access to Information Act /  
Divulgué(s) en vertu de la Loi sur l'accès à l'information.

Dear Mr. Bernstein:

Thank you for your correspondence requesting a meeting with me. I sincerely regret the delay in replying to your request and that I was unable to meet with you in January, but I still wish to express my thanks for your kind invitation. As you can imagine, it has been an exciting—and very busy—few first months in office.

Thank you as well for providing me with a copy of your resume and the brochure entitled "Canada's Children: Fulfilling their rights and well-being through Policy Advocacy." I greatly appreciate the invaluable work of UNICEF Canada in ensuring the well-being of our children. Your leadership to advance universal, human rights of children is commendable.

Thank you again for writing.

Respectfully,

The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.  
Minister of Justice and Attorney General of Canada

## INVITATION

Docket No. - N° de chemise  
F16-001190  
Date of Event - Date de l'événement  
January 23, 2016  
Deadline - Date limite  
January 22, 2016

**To:** Ministerial Liaison Unit[MLU@justice.gc.ca]; Gauthier, Julie[Julie.Gauthier@justice.gc.ca]  
**From:** Morissette, Tanya  
**Flag Status:** 0x00000000  
**Subject:** e-cc 16-001190 Incoming(1).pdf / Marvin Bernstein

**16-001190 Incoming(1).pdf**

**Attached FOR INFORMATION ONLY is your copy of an incoming ministerial letter.**

---

***Ci-joint, vous trouverez copie d'une lettre ministérielle À TITRE INFORMATIF SEULEMENT.***

Ministerial Correspondence Unit, Department of Justice  
Unité de la correspondance ministérielle, Ministère de la Justice  
[mcu@justice.gc.ca](mailto:mcu@justice.gc.ca)

**MCU / UCM**  
**Ministerial Correspondence Unit / Unité de la correspondance ministérielle**  
**Routing Slip / Feuille de contrôle**

Document Date / Date du document: 2016-02-08  
Date of Receipt / Reçu le: 2016-02-12

MCU # / # UCM: 2016-003337

Author /  
Auteur: **Grand Chief Steve Courtoreille**  
Grand Chief  
  
Treaty 8 First Nations of Alberta  
c/o Santa Fe Plaza  
18178-102 Avenue  
Edmonton AB T5S 1S7

Doc Type / Type de Doc: D

Subject / Sujet: 271001  
Indigenous and Northern Affairs Canada - General

Due Date / Date d'échéance:

Sector's Due Date / Date d'échéance du secteur:

Assigned To / Assigné à: MCUED2

Assigned Date / Assigné le: 2016-02-12

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- Minister's Chief of Staff or Assistant / Chef de cabinet ou  
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- MCU Manager / Gestionnaire de l'UCM
- Other (pls indicate) / Autre (veuillez préciser)

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- By email / par courriel
- By letter / par lettre
- Enclosure(s) / pièce(s) jointe(s)
- Courtesy copy (c.c.) / copie conforme (c.c.)
- Standard reply / lettre type
- Modified standard reply / lettre type modifiée
- Based on letter / Basée sur la lettre \_\_\_\_\_  
signed on / signée le \_\_\_\_\_

**Comments / Remarques:**  
Summary report ATT

**INSTRUCTIONS**

D:  Draft response / Faire un projet de réponse  
A:  Further letter to be combined with a previous document (see comments) / Nouvelle lettre à joindre à un document précédent (voir  
remarques)  
F:  Action at your discretion / Donner suite à votre discrédition  
 Further letter to be combined with a previous document (see comments) / Nouvelle lettre à joindre à un document précédent (voir  
remarques)  
I:  For your information (no action required) / À titre d'information (aucune mesure requise)

CC: P. McCurry  
CC:  
CC:

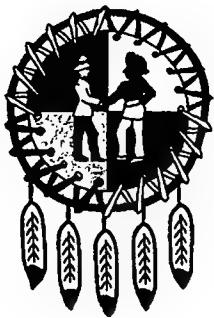
CC:  
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File Away / Classé:



# Treaty 8 First Nations of Alberta

*To Protect, Promote, Bring to Life, Implement, and Sustain the True Spirit and Intent of  
Treaty No. 8 as long as the sun shines, the grass grows, and the waters flow.*

MCUED2  
27/01/17 CP  
Summary  
Report ATT

## HEAD OFFICE

Mikisew Cree First Nation  
P.O. Box 90  
FORT CHIPEWYAN, Alberta  
T0P 1B0  
Telephone: (780) 697-3740  
Fax: (780) 697-3826

## SUB OFFICE

C/o Santa Fe Plaza  
18178-102 Avenue  
EDMONTON, Alberta  
T5S 1S7  
Telephone: (780) 444-9366  
Fax: (780) 484-1465

February 8, 2016

Prime Minister Trudeau,  
Office of the Prime Minister,  
80 Wellington Street,  
Ottawa, Ontario  
K1A 0A2

MINISTER OF JUSTICE  
MINISTRE DE LA JUSTICE

2016 FEB 12 P 1:42  
RECEIVED/REÇU

Dear Prime Minister Trudeau

**Re: Canadian Human Rights Tribunal Decision on First Nations child welfare and Jordan's Principle**

Following on your commitment to fully implement the Truth and Reconciliation Commission's recommendation, I/we are writing to you to urge your government to not appeal the recent Canadian Human Rights Tribunal decision on First Nations child and family services. We further require that the Government of Canada immediately and fully implement the measures outlined in the document entitled "First steps in fixing the inequities in First Nations child and family services: Immediate action reforms, EPFA" to provide some immediate relief to the children's suffering while the longer term issues are resolved.

As you are aware, First Nations children receive fewer public services than all other children in education, health care, early childhood, child welfare and basics like water and proper housing. This inequality has been perpetrated by successive federal and provincial/territorial governments and must end immediately. The Canadian Human Rights Tribunal orders the Government of Canada to immediately cease its discriminatory practices and to properly implement Jordan's Principle to ensure First Nations children are not denied or delayed receipt of services available to other children. This landmark decision provides all of us with an opportunity to fully end racial discrimination as federal government fiscal policy.

First Nations child welfare in Alberta is provided pursuant to the Enhanced Prevention Focused Approach (EPFA) which provides the second lowest level of child welfare funding among INAC's four funding approaches. This means that culturally based prevention services to keep children safely at home are limited contributing to growing numbers of children in foster care. The dramatic over-representation of our children in foster care perpetuates the multi-generational harms arising from residential schools. The Tribunal's order coupled with the Government of Canada's commitment to Reconciliation requires that the Federal Government take immediate action.

While we welcome the comments of Ministers Bennett and Raybould-Wilson regarding the decision, we also note that an appeal of the decision has not been ruled out nor has there been any concrete action to implement the Tribunal's direction to immediately cease the discrimination and implement Jordan's Principle across all federal government services. Please be advised while we welcome the Federal Government's announcement of new funding for First Nations child welfare and education, our expectation is that the government will eliminate inequities across all government services immediately. There is no room for racial discrimination against children in Canadian government policy nor can its continuance be legitimized by arguments in favour of government convenience or considerations. Children only get one childhood and it is time for the Government of Canada to put them first.

As this decision touches on the responsibilities of several departments, we urge you in your roles as Prime Minister and in your role as Minister of Youth, to take leadership role in ensuring that Canada fully and immediately ends its discriminatory practices toward First Nations children and their families.

I/we request a written and specific response from you and from Ministers Raybould-Wilson and Bennett to this letter.

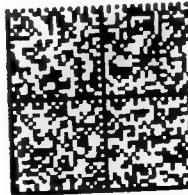
Respectfully,

Steve Courtoeil  
Grand Chief  
Treaty 8 First Nations of Alberta

s.19(1)

C.c: Minister Bennett  
Minister Raybould-Wilson

Treaty 8 First Nations of Alberta  
18178-102 Avenue  
Edmonton, Alberta  
T5S 1S7



The Honourable Jody Wilson-Raybould  
Minister of Justice and Attorney General of Canada  
284 Wellington Street  
Ottawa, Ontario K1A 0H8

Minister of Justice  
and Attorney General of Canada



Ministre de la Justice  
et procureur général du Canada

Ottawa, Canada K1A 0H8

Minister's File: 271001 2016-003337  
A16-005105

JUL 19 2016

Grand Chief Steve Courtoeille  
Treaty 8 First Nations of Alberta  
c/o Santa Fe Plaza  
18178-102 Avenue  
Edmonton AB T5S 1S7

Dear Grand Chief Courtoeille:

Thank you for your correspondence concerning the Canadian Human Rights Tribunal decision on First Nations child and family services. The Office of the Prime Minister has also forwarded to me a copy of your correspondence. I regret the lengthy delay in responding.

As I publicly stated early on, I would like to assure you that the Government of Canada has determined not to seek a judicial review of the decision.

As you may be aware, the matters you raise fall more directly within the purview of the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, to whom I note a copy of your correspondence has already been sent. While I appreciate being made aware of your concerns, I will leave the matter to be considered by Minister Bennett.

Thank you again for writing.

Respectfully,

**Original signed by /**  
**Original signé par**

The Honourable Jody Wilson-Raybould

D.Duval(946-1943)/md



Department of Justice  
Canada Ministère de la Justice  
Canada

No.: D16-003337

07/06/2016

MINISTERIAL CORRESPONDENCE  
CORRESPONDANCE MINISTÉRIELLE

MINISTER'S OFFICE FILE NO.  
N° DE DOSSIER DU BUREAU DU MINISTRE

271001

DUE DATE  
DATE D'ÉCHÉANCE

2016 - Mar. 28

REFERRED TO TRANSMIS À	REMARKS - REMARQUES	DATE	INITIALS INITIALES
Danielle	"A" attached	2016-02-12	CP
mcusur	Approve	Jun. 16/16	DD
WP	final format	June 16 2016	AB
Sandy	Action	June 17 2016	ms
MCU/UCM	for rev / signature	June 20/16	DP
MCU	update pls	July 6	ms
MCU/UCM	Approve	July 7 2016	PF
WP		July 8 2016	AB
Sandy	Approve	July 11 2016	ms
MCU/UCM	update pls	JUL 11 2016 JUL 11 2016	SC
MCU/UCM	Approve	July 14 2016	W
Sandy	Approve	July 15 2016	ms
Canada	Approve	JUL 15 2016	SC

CONTINUED ON BACK COVER  
VOIR 000020

CONTINUED  
SUITE

No.:

**To:** McCurry, Pam[Pam.McCurry@justice.gc.ca]  
**From:** Ministerial Correspondence Unit - Justice Canada  
**Flag Status:** 0x00000000  
**Subject:** ecc 16-003337 incoming(1).pdf

16-003337 incoming(1).pdf

*Attached FOR INFORMATION ONLY is your copy of an incoming ministerial letter.*

---

*Ci-joint, vous trouverez copie d'une lettre ministérielle À TITRE INFORMATIF SEULEMENT.*

**Ministerial Correspondence Unit, Department of Justice**

**Unité de la correspondance ministérielle, Ministère de la Justice**

[mcu@justice.gc.ca](mailto:mcu@justice.gc.ca)

**To:** Monette, Suzanne[Suzanne.Monette@justice.gc.ca]  
**From:** Duval, Danielle  
**Flag Status:** 0x00000000  
**Subject:** 16-003337/Treaty 8 First Nations of Alberta

16-003337 incoming(1).pdf  
Goto Record 481206 in database 2.ccm

Hello,

The attached correspondence is addressed to the Prime Minister but specifically requests a reply from Minister Wilson-Raybould and Minister Bennett. The incoming concerns the Canadian Human Rights Tribunal decision on First Nations child and family services. Should I send this one to your sector as a YD?

Thank you,

Danielle

Danielle Duval

Writer/Editor | Rédactrice/Réviseure

Ministerial Correspondence Unit | Unité de la correspondance ministérielle

Department of Justice | Ministère de la Justice Canada

284 Wellington Street, Room 4321 | 284, rue Wellington, pièce 4321

Ottawa (Ontario) K1A 0H8

Tel. / Tél. 613-946-1943 | Fax / Téléc. 613-957-3559

**To:** Monette, Suzanne[Suzanne.Monette@justice.gc.ca]  
**From:** Duval, Danielle  
**Flag Status:** 0x00000000  
**Subject:** FW: 16-003337/Treaty 8 First Nations of Alberta

16-003337 incoming(1).pdf  
Goto Record 481206 in database 2.ccm

Hi Suzanne,

Further to my inquiry for this incoming below, MCU has discovered that this incoming is actually a form letter which has been sent in by several different First Nations. I would like sector's input on whether we should reply.

Thank you,

Danielle

**From:** Duval, Danielle  
**Sent:** 2016-Feb-15 9:15 AM  
**To:** Monette, Suzanne  
**Subject:** 16-003337/Treaty 8 First Nations of Alberta

Hello,

The attached correspondence is addressed to the Prime Minister but specifically requests a reply from Minister Wilson-Raybould and Minister Bennett. The incoming concerns the Canadian Human Rights Tribunal decision on First Nations child and family services. Should I send this one to your sector as a YD?

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Danielle

Danielle Duval

Writer/Editor | Rédactrice/Réviseure

Ministerial Correspondence Unit | Unité de la correspondance ministérielle

Department of Justice | Ministère de la Justice Canada

284 Wellington Street, Room 4321 | 284, rue Wellington, pièce 4321

Ottawa (Ontario) K1A 0H8

Tel. / Tél. 613-946-1943 | Fax / Téléc. 613-957-3559

To: Ministerial Correspondence Unit - Justice Canada[mcu@justice.gc.ca]

From: CIMS\_OPER

Flag Status: 0x00000000

Subject: FROM : Privy Council Office - Bureau du conseil privé [ Mail # : 196623 Folder # : 914477 Tracking # : 60460170E ]

Final\_60460170E.docx

wbbkcWoc.TIF

Attention : Jody Wilson-Raybould, P.C., M.P., Minister of Justice and Attorney General of Canada

The attached correspondence addressed to the Prime Minister is forwarded to your office for action or information as appropriate.

La correspondance ci-jointe adressée au Premier Ministre vous est transmise pour suite à donner ou pour information.

Correspondent / Correspondant :

Grand Chief Steve Courtoeil  
Treaty 8 First Nations of Alberta  
Head Office  
Mikisew Cree First Nation  
P.O. Box 90  
Fort Chipewyan (Alberta)  
T0P 1B0

Keywords / Mots-clés : First Nations child and family services - PRO

Folder Number / Numéro de dossier: 914477

Tracking Number / Numéro de suivi: 60460170E

Date on Document / Date du document: 08 Feb 2016

Date Rec'd ( by PCO ) / Date de récept.: 15 Feb 2016

For additional information, please call 941-6887

Pour de plus amples informations, veuillez composer le 941-6887

Date of this E-Mail / Date de la transmission : Mon 22 Feb 2016 10:13:19 AM

**To:** Monette, Suzanne[Suzanne.Monette@justice.gc.ca]  
**From:** Duval, Danielle  
**Flag Status:** 0x00000000  
**Subject:** RE: 16-003337/Treaty 8 First Nations of Alberta

Suzanne,

Please disregard my previous email below – our procedure is to not reply to form letters. We will be keeping a record of the correspondence however.

Thank you,

Danielle

Danielle Duval

Writer/Editor | Rédactrice/Réviseure

Ministerial Correspondence Unit | Unité de la correspondance ministérielle

Department of Justice | Ministère de la Justice Canada

284 Wellington Street, Room 4321 | 284, rue Wellington, pièce 4321

Ottawa (Ontario) K1A 0H8

Tel. / Tél. 613-946-1943 | Fax / Téléc. 613-957-3559

**From:** Duval, Danielle  
**Sent:** 2016-Feb-22 3:00 PM  
**To:** Monette, Suzanne  
**Subject:** FW: 16-003337/Treaty 8 First Nations of Alberta

Hi Suzanne,

Further to my inquiry for this incoming below, MCU has discovered that this incoming is actually a form letter which has been sent in by several different First Nations. I would like sector's input on whether we should reply.

Thank you,

Danielle

**From:** Duval, Danielle  
**Sent:** 2016-Feb-15 9:15 AM  
**To:** Monette, Suzanne  
**Subject:** 16-003337/Treaty 8 First Nations of Alberta

Hello,

The attached correspondence is addressed to the Prime Minister but specifically requests a reply from Minister Wilson-Raybould and Minister Bennett. The incoming concerns the Canadian Human Rights Tribunal decision on First Nations child and family services. Should I send this one to your sector as a YD?

Thank you,

Danielle

Danielle Duval

Writer/Editor | Rédactrice/Réviseure

Ministerial Correspondence Unit | Unité de la correspondance ministérielle

Department of Justice | Ministère de la Justice Canada

284 Wellington Street, Room 4321 | 284, rue Wellington, pièce 4321

Ottawa (Ontario) K1A 0H8

000028

Tel. / Tél. 613-946-1943 | Fax / Téléc. 613-957-3559

**MCU / UCM**  
**Ministerial Correspondence Unit / Unité de la correspondance ministérielle**  
**Routing Slip / Feuille de contrôle**

**Document Date / Date du document:** 2016-02-05  
**Date of Receipt / Reçu le:** 2016-02-10

**MCU # / # UCM:** 2016-003497

**Author /** **Chief Andrew Wandering Spirit**  
**Auteur:** **Chief**

**Doc Type / Type de Doc:** I

Smith's Landing First Nation  
P.O. Box 1470  
Fort Smith NT X0E 0P0

**Subject / Sujet:** 271001  
Indigenous and Northern Affairs Canada - General

**Due Date / Date d'échéance:**

**Sector's Due Date / Date d'échéance du secteur:**

**Assigned To / Assigné à:** MCU-FILE

**Assigned Date / Assigné le:** 2016-02-16

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 Standard reply / lettre type  
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 Based on letter / Basée sur la lettre \_\_\_\_\_  
signed on / signée le \_\_\_\_\_

**Comments / Remarques:**

**INSTRUCTIONS**

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remarques)  
I:  For your information (no action required) / À titre d'information (aucune mesure requise)

CC: P. McCurry  
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**Closed / Fermé:** 2016-02-16

**File Away / Classé:** PA - COPY

I16-003497  
MCU-FILE

271001



## Smith's Landing First Nation

PO Box 1470, Fort Smith, NT, X0E 0P0

Phone: (867) 872-4950 Fax: (867) 872-5154

February 5, 2016

Dear Prime Minister Trudeau,  
Office of the Prime Minister,  
80 Wellington Street,  
Ottawa, Ontario  
K1A 0A2

Dear Prime Minister Trudeau

Re: Canadian Human Rights Tribunal Decision on First Nations child welfare and Jordan's Principle

Following on your commitment to fully implement the Truth and Reconciliation Commission's recommendation, I/we are writing to you to urge your government to not appeal the recent Canadian Human Rights Tribunal decision on First Nations child and family services. We further require that the Government of Canada immediately and fully implement the measures outlined in the document entitled "First steps in fixing the inequities in First Nations child and family services: Immediate action reforms, EPFA<sup>1</sup>" to provide some immediate relief to the children's suffering while the longer term issues are resolved.

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<sup>1</sup> Available at [www.fnwitness.ca](http://www.fnwitness.ca)

While we welcome the comments of Ministers Bennett and Raybould-Wilson regarding the decision, we also note that an appeal of the decision has not been ruled out nor has there been any concrete action to implement the Tribunal's direction to immediately cease the discrimination and implement Jordan's Principle across all federal government services. Please be advised while we welcome the Federal Government's announcement of new funding for First Nations child welfare and education, our expectation is that the government will eliminate inequities across all government services immediately. There is no room for racial discrimination against children in Canadian government policy nor can its continuance be legitimized by arguments in favour of government convenience or considerations. Children only get one childhood and it is time for the Government of Canada to put them first.

As this decision touches on the responsibilities of several departments, we urge you in your roles as Prime Minister and in your role as Minister of Youth, to take leadership role in ensuring that Canada fully and immediately ends its discriminatory practices toward First Nations children and their families.

I/we request a written and specific response from you and from Ministers Raybould-Wilson and Bennett to this letter.

Respectfully,

s.19(1)

Chief Andrew Wandering Spirit

CC: Minister Bennett  
Minister Raybould-Wilson

**Ministerial Correspondence Unit - Justice Canada**

**From:** Wilson-Raybould, Jody - M.P. <Jody.Wilson-Raybould@parl.gc.ca>  
**Sent:** 2016-Feb-10 5:18 PM  
**To:** Ministerial Correspondence Unit - Justice Canada  
**Subject:** FW: Canadian Human Rights Tribunal Decision on First Nations Child Welfare and Jordan's Principle  
**Attachments:** Canadian Human Rights Tribunal Decision on First Nations Child Welfare and Jordan's Principle.pdf

**From:** [REDACTED]  
**Sent:** February 10, 2016 4:00 PM  
**To:** Trudeau, Justin - Député; Wilson-Raybould, Jody - M.P.; Bennett, Carolyn - M.P.  
**Cc:** 'Chief Andrew Wandering Spirit'  
**Subject:** Canadian Human Rights Tribunal Decision on First Nations Child Welfare and Jordan's Principle

Good afternoon-

The Right Honourable Justin Trudeau, The Honourable Carolyn Bennett, and The Honourable Jody Wilson-Raybould,

Please see the attached letter from the Smith's Landing First Nation Chief and Council regarding the Canadian Human Rights Tribunal Decision on First Nations Child Welfare and Jordan's Principle.

If you have any questions, please give me a call at (867) 872-4950. Thank you

Sincerely,

Christine

s.19(1)

Executive Administrative Assistant  
Smith's Landing First Nation #196  
P.O. Box 1470  
Fort Smith, NT X0E 0P0  
Ph: (867) 872-4950  
Fax: (867) 872-5154  
Toll -free 1-(877) 339-3329

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# MCU / UCM

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Document Date / Date du document: 2016-02-05  
Date of Receipt / Reçu le: 2016-02-10

MCU # / # UCM: 2016-003497

Author / Auteur: Chief Andrew Wandering Spirit  
Chief  
Smith's Landing First Nation  
P.O. Box 1470  
Fort Smith NT X0E 0P0

Doc Type / Type de Doc: ✓ R fu5

Subject / Sujet: 271001  
Indigenous and Northern Affairs Canada - General

Due Date / Date d'échéance: 2016-03-31

Sector's Due Date / Date d'échéance du secteur:

Assigned To / Assigné à: MCU-FILE / MCUE08 Assigned Date / Assigné le: 2016-02-16

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 Standard reply / lettre type  
 Modified standard reply / lettre type modifiée  
 Based on letter / Basée sur la lettre  
signed on / signée le

### Comments / Remarques:

### INSTRUCTIONS

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remarques)  
I:  For your information (no action required) / À titre d'information (aucune mesure requise)

CC: P. McCurry *dpj*

CC:  
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Closed / Fermé: 2016-02-16

File Away / Classé: PA - COPY

Minister of Justice  
and Attorney General of Canada



Ministre de la Justice  
et procureur général du Canada

Ottawa, Canada K1A 0H8

Minister's File: 271001 2016-003497

JUL 19 2016

Chief Andrew Wandering Spirit  
Smith's Landing First Nation  
P.O. Box 1470  
Fort Smith NT X0E 0P0

Dear Chief Wandering Spirit:

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As I publicly stated early on, I would like to assure you that the Government of Canada has determined not to seek a judicial review of the decision.

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Thank you again for writing.

Respectfully,

**Original signed by /**  
**Original signé par**

The Honourable Jody Wilson-Raybould

c.c.: The Honourable Carolyn Bennett, P.C., M.P.  
Minister of Indigenous and Northern Affairs

D.Duval(946-1943)/md

MINISTERIAL CORRESPONDENCE  
CORRESPONDANCE MINISTÉRIELLE

SUBJECT / SUJET 271001

SECTOR DUE DATE  
DATE D'ÉCHÉANCE DU SECTEURDUE DATE  
DATE D'ÉCHÉANCE mar. 31/16

s.19(1)

REFERRED TO TRANSMIS À	REMARKS REMARQUES	DATE	INITIALS INITIALES
MCUED02		Jun.16/16	D.D.
mcuwr	Approve	Jun.16/16	D.D.
WP	Final Format	June 16 2016	SC
Sandy		June 17 2016	mo
Brando		JUN 17 2016	SC
	Action	June 17/16	PL
mcu	Update	July 6	+
MCU/UC-Set 5	MO-CORRECT	JUL 06 2016	
mcuwr	Approve	July 8 2016	PL
WP		"	SC
Sandy		July 11 2016	mo
	Approve	JUL 11 2016	SC
mcu	Update pls	July 14	+

Canada

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VOIR 1000036

**CONTINUED  
SUITE**

No.: 2016-003497

s.19(1)

**MCU / UCM**  
**Ministerial Correspondence Unit / Unité de la correspondance ministérielle**  
**Routing Slip / Feuille de contrôle**

**Document Date / Date du document:** 2016-02-05  
**Date of Receipt / Reçu le:** 2016-02-18

**MCU # / # UCM:** 2016-003897

**Author /** **Chief Roland Twinn**  
**Auteur:** **Chief**

**Doc Type / Type de Doc:** R

Sawridge First Nations  
P.O. Box 326  
806 Caribou Trail Northwest  
Slave Lake AB T0G 2A0

**Subject / Sujet:** 271001  
Indigenous and Northern Affairs Canada - General

**Due Date / Date d'échéance:**

**Sector's Due Date / Date d'échéance du secteur:**

**Assigned To / Assigné à:** MCUED8

**Assigned Date / Assigné le:** 2016-02-19

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 Minister's Chief of Staff or Assistant / Chef de cabinet ou  
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 Other (pls indicate) / Autre (veuillez préciser)

**POUR L'USAGE DE L'UCM**  
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 By letter / par lettre  
 Enclosure(s) / pièce(s) jointe(s)  
 Courtesy copy (c.c.) / copie conforme (c.c.)  
 Standard reply / lettre type  
 Modified standard reply / lettre type modifiée  
 Based on letter / Basée sur la lettre \_\_\_\_\_  
signed on / signée le \_\_\_\_\_

**Comments / Remarques:**

**INSTRUCTIONS**

D:  Draft response / Faire un projet de réponse  
A:  Further letter to be combined with a previous document (see comments) / Nouvelle lettre à joindre à un document précédent (voir  
remarques)  
F:  Action at your discretion / Donner suite à votre discrédition  
 Further letter to be combined with a previous document (see comments) / Nouvelle lettre à joindre à un document précédent (voir  
remarques)  
I:  For your information (no action required) / À titre d'information (aucune mesure requise)

**CC:** P. McCurry  
**CC:**  
**CC:**

**CC:**  
**CC:**  
**CC:**

**CC:**  
**CC:**  
**CC:**

**CC:**  
**CC:**

**Closed / Fermé:**

**File Away / Classé:**

R16-003847

RECEIVED

2/10/16

**Swridge**

MINISTER OF JUSTICE  
MINISTRE DE LA JUSTICE

2016 FEB 18 A 6:21

RECEIVED/REÇU

February 5, 2016

Prime Minister Justin Trudeau,  
Office of the Prime Minister,  
80 Wellington Street,  
Ottawa, Ontario  
K1A 0A2

Dear Prime Minister Justin Trudeau;

**Re: Canadian Human Rights Tribunal Decision on First Nations Child Welfare and  
Jordan's Principle**

Following on your commitment to fully implement the Truth and Reconciliation Commission's recommendation, I/we are writing to you to urge your government to not appeal the recent Canadian Human Rights Tribunal decision on First Nations Child and Family Services. We further require that the Government of Canada immediately and fully implement the measures outlined in the document entitled "First steps in fixing the inequities in First Nations Child and Family Services: Immediate action reforms, EPFA<sup>1</sup>" to provide some immediate relief to the children's suffering while the longer term issues are resolved.

As you are aware, First Nations Children receive fewer public services than all other children in education, health care, early childhood, child welfare and basics like water and proper housing. This inequality has been perpetrated by successive federal and provincial/territorial governments and must end immediately. The Canadian Human Rights Tribunal orders the Government of Canada to immediately cease its discriminatory practices and to properly implement Jordan's Principle to ensure First Nations Children are not denied or delayed receipt of services available to other children. This landmark decision provides all of us with an opportunity to fully end racial discrimination as federal government fiscal policy.

<sup>1</sup> Available at [www.fnwitness.ca](http://www.fnwitness.ca)

First Nations Child Welfare in Alberta is provided pursuant to the Enhanced Prevention Focused Approach (EPFA), which provides the second lowest level of child welfare funding among INAC's four funding approaches. This means that culturally based prevention services to keep children safely at home are limited contributing to growing numbers of children in foster care. The dramatic over-representation of our children in foster care perpetuates the multi-generational harms arising from residential schools. The Tribunal's order coupled with the Government of Canada's commitment to Reconciliation requires that the Federal Government take immediate action.

While we welcome the comments of Minister Carolyn Bennett and Jody Raybould-Wilson regarding the decision, we also note that an appeal of the decision has not been ruled out nor has there been any concrete action to implement the Tribunal's direction to immediately cease the discrimination and implement Jordan's Principle across all Federal Government Services. Please be advised while we welcome the Federal Government's announcement of new funding for First Nations Child Welfare and Education, our expectation is that the government will eliminate inequities across all government services immediately. There is no room for racial discrimination against children in Canadian government policy nor can its continuance be legitimized by arguments in favour of government convenience or considerations. Children only get one childhood and it is time for the Government of Canada to put them first.

As this decision touches on the responsibilities of several departments, we urge you in your roles as Prime Minister and in your role as Minister of Youth, to take a leadership role in ensuring that Canada fully and immediately ends its discriminatory practices toward First Nations Children and their families.

I/we request a written and specific response from you and from Minister Jody Raybould-Wilson and Minister Carolyn Bennett to this letter.

Respectfully,  
**SAWRIDGE FIRST NATION**

Per:

s.19(1)

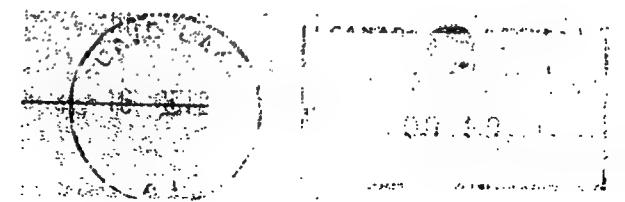
Chief Roland Twinn

cc: Minister Carolyn Bennett  
Minister Jody Raybould-Wilson



*Sawridge*

BOX 326  
SLAVE LAKE, ALBERTA  
T0G 2A0



Honorable Jody Wilson-Raybould  
Minister of Justice and Attorney General  
House of Commons  
Ottawa, ON K1A 0A6

Minister of Justice  
and Attorney General of Canada



Ministre de la Justice  
et procureur général du Canada

Ottawa, Canada K1A 0H8

Minister's File: 271001 2016-003897

JUL 19 2016

Chief Roland Twinn  
Sawridge First Nations  
806 Caribou Trail Northeast  
P.O. Box 326  
Slave Lake AB T0G 2A0

Dear Chief Twinn:

Thank you for your correspondence concerning the Canadian Human Rights Tribunal decision on First Nations child and family services. I regret the lengthy delay in responding.

As I publicly stated early on, I would like to assure you that the Government of Canada has determined not to seek a judicial review of the decision.

As you may be aware, the matters you raise fall more directly within the purview of the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, to whom I note you have also sent a copy of your correspondence. While I appreciate being made aware of your concerns, I will leave the matter to be considered by Minister Bennett.

Thank you again for writing.

Respectfully,

**Original signed by /**  
**Original signé par**

The Honourable Jody Wilson-Raybould

c.c.: The Honourable Carolyn Bennett, P.C., M.P.  
Minister of Indigenous and Northern Affairs

D.Duval(946-1943)/md



MINISTERIAL CORRESPONDENCE  
CORRESPONDANCE MINISTÉRIELLE

SUBJECT / SUJET 271001

SECTOR DUE DATE  
DATE D'ÉCHÉANCE DU SECTEUR

DUE DATE  
DATE D'ÉCHÉANCE Apr. 5/16

REFERRED TO TRANSMIS À	REMARKS REMARQUES	DATE	INITIALS INITIALES
mcued2		Jun.16/16	OD
mcuswr	Approve	Jun.16/16	OD
WP	final format	June 16 2016	DB
Sandy		June 17 2016	ms
Brenda		JUN 17 2016	SE
	Action	June 17/16	PS
Mcu	Update pls	July 1	LN
<b>MCU/UCM-Sel5</b>		<b>MO-CORRECT</b>	
MCUSWR	Approve	July 8/16	PF
WP		"	BB
Sandy		July 11 2016	ms
	Approve	JUL 11 2016	SC
Mcu	Update pls	July 13	LN

Canada

**CONTINUED  
SUITE**

No.: 2016-003897

**MCU / UCM**  
**Ministerial Correspondence Unit / Unité de la correspondance ministérielle**  
**Routing Slip / Feuille de contrôle.**

**Document Date / Date du document:** 2016-02-05  
**Date of Receipt / Reçu le:** 2016-02-22

**MCU # / # UCM:** 2016-004843

**Author /** **Chief Eugene Horseman**  
**Auteur:** **Chief**

**Doc Type / Type de Doc:** R

Horse Lake First Nation  
P.O. Box 303  
Hythe AB T0H 2C0

**Subject / Sujet:** 271001  
Indigenous and Northern Affairs Canada - General

**Due Date / Date d'échéance:** 2016-04-15

**Sector's Due Date / Date d'échéance du secteur:**

**Assigned To / Assigné à:** MCUED2

**Assigned Date / Assigné le:** 2016-03-02

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- By email / par courriel
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- Enclosure(s) / pièce(s) jointe(s)
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- Standard reply / lettre type
- Modified standard reply / lettre type modifiée
- Based on letter / Basée sur la lettre  
signed on / signée le \_\_\_\_\_

**Comments / Remarques:**

**INSTRUCTIONS**

D:  Draft response / Faire un projet de réponse  
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remarques)  
I:  For your information (no action required) / À titre d'information (aucune mesure requise)

CC: P. McCurry  
CC:  
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CC:

**Closed / Fermé:**

**File Away / Classé:**



## HORSE LAKE FIRST NATION

Box 303, Hythe, Alberta TOH 2C0  
Phone: (780) 356-2248 FAX: (780) 356-3666

R16-004843  
mcued2

271001

February 5, 2016

Dear Prime Minister Trudeau,  
Office of the Prime Minister,  
80 Wellington Street,  
Ottawa, Ontario  
K1A 0A2

MINISTER OF JUSTICE  
MINISTRE DE LA JUSTICE  
2016 FEB 22 P 2:46  
RECEIVED/REÇU

Dear Prime Minister Trudeau

Re: Canadian Human Rights Tribunal Decision on First Nations child welfare and Jordan's Principle

Following on your commitment to fully implement the Truth and Reconciliation Commission's recommendation, I/we are writing to you to urge your government to not appeal the recent Canadian Human Rights Tribunal decision on First Nations child and family services. We further require that the Government of Canada immediately and fully implement the measures outlined in the document entitled "First steps in fixing the inequities in First Nations child and family services: Immediate action reforms, EPFA<sup>1</sup>" to provide some immediate relief to the children's suffering while the longer term issues are resolved.

As you are aware, First Nations children receive fewer public services than all other children in education, health care, early childhood, child welfare and basics like water and proper housing. This inequality has been perpetrated by successive federal and provincial/territorial governments and must end immediately. The Canadian Human Rights Tribunal orders the Government of Canada to immediately cease its discriminatory practices and to properly implement Jordan's Principle to ensure First Nations children are not denied or delayed receipt of services available to other children. This landmark decision provides all of us with an opportunity to fully end racial discrimination as federal government fiscal policy.

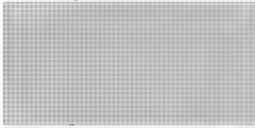
First Nations child welfare in Alberta is provided pursuant to the Enhanced Prevention Focused Approach (EPFA) which provides the second lowest level of child welfare funding among INAC's four funding approaches. This means that culturally based prevention services to keep children safely at home are limited contributing to growing numbers of children in foster care. The dramatic over-representation of our children in foster care perpetuates the multi-generational harms arising from residential schools. The Tribunal's order coupled with the Government of Canada's commitment to Reconciliation requires that the Federal Government take immediate action.

While we welcome the comments of Ministers Bennett and Raybould-Wilson regarding the decision, we also note that an appeal of the decision has not been ruled out nor has there been any concrete action to implement the Tribunal's direction to immediately cease the discrimination and implement Jordan's Principle across all federal government services. Please be advised while we welcome the Federal Government's announcement of new funding for First Nations child welfare and education, our expectation is that the government will eliminate inequities across all government services immediately. There is no room for racial discrimination against children in Canadian government policy nor can its continuance be legitimized by arguments in favour of government convenience or considerations. Children only get one childhood and it is time for the Government of Canada to put them first.

As this decision touches on the responsibilities of several departments, we urge you in your roles as Prime Minister and in your role as Minister of Youth, to take leadership role in ensuring that Canada fully and immediately ends its discriminatory practices toward First Nations children and their families.

I/we request a written and specific response from you and from Ministers Raybould-Wilson and Bennett to this letter.

Respectfully,



s.19(1)

Chief Eugene Horseman

CC: Minister Bennett  
 Minister Raybould-Wilson

Minister of Justice  
and Attorney General of Canada



Ministre de la Justice  
et procureur général du Canada

Ottawa, Canada K1A 0H8

4843  
Minister's File: 271001 2016-004383

JUL 21 2016

Chief Eugene Horseman  
Horse Lake First Nation  
P.O. Box 303  
Hythe AB T0H 2C0

Dear Chief Horseman:

Thank you for your correspondence concerning the Canadian Human Rights Tribunal decision on First Nations child and family services. I regret the lengthy delay in responding.

I would like to assure you that the Government of Canada has determined not to seek a judicial review of the decision.

As you may be aware, the matters you raise fall more directly within the purview of the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, to whom I note you have also sent a copy of your correspondence. While I appreciate being made aware of your concerns, I will leave the matter to be considered by Minister Bennett.

Thank you again for writing.

Respectfully,

**Original signed by /**  
**Original signé par**

The Honourable Jody Wilson-Raybould

c.c.: The Honourable Carolyn Bennett, P.C., M.P.  
Minister of Indigenous and Northern Affairs



Department of Justice Canada Ministère de la Justice Canada

No. : 16-004843

MINISTERIAL CORRESPONDENCE  
CORRESPONDANCE MINISTÉRIELLE

SUBJECT / SUJET 271001

SECTOR DUE DATE  
DATE D'ÉCHÉANCE DU SECTEUR

DUE DATE  
DATE D'ÉCHÉANCE Apr. 15/16

REFERRED TO TRANSMIS À	REMARKS REMARQUES	DATE	INITIALS INITIALES
mc4EO2		Jun. 16/16	D.D.
mcuswr	Approve	Jun. 16/16	D.D.
WP	Final Format	June 16 2016	bez
Sandy		June 17 2016	ms
Brenda		JUN 17 2016	sc
	Action	June 17/16	RP
MCU	update pls	July 6	an
<b>MCU/UCM-Sel 5 MO-CORRECT</b>		JUL 06 2016	
mcuswr	Approve	July 18 2016	AF
WP		"	AB
Sandy		July 11 2016	ms
	Approve	JUL 14 2016	sc
Mo	BSig	July 20	an

Canada

MCU/UCM

DSIG/ Date/Stamp/Mail

JOINT INVESTIGATION BACK COVER  
JULY 21 2016 (000049)

**MCU / UCM**  
**Ministerial Correspondence Unit / Unité de la correspondance ministérielle**  
**Routing Slip / Feuille de contrôle**

**Document Date / Date du document:** 2016-03-05  
**Date of Receipt / Reçu le:** 2016-03-05

**MCU # / # UCM:** 2016-005105

**Author / Auteur:** **A. Opalick**  
Executive Correspondence Officer  
  
Prime Minister's Office  
  
Ottawa ON K1A 0A2  
  
pm@pm.gc.ca  
  
**Copy to:** Chief Steve Courtoile

**Doc Type / Type de Doc:** A

**Subject / Sujet:** 271001  
Indigenous and Northern Affairs Canada - General

**Due Date / Date d'échéance:** 2016-03-29

**Sector's Due Date / Date d'échéance du secteur:**

**Assigned To / Assigné à:** MCURLL  
MCUED2

**Assigned Date / Assigné le:** 2016-03-07

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**POUR L'USAGE DE L'UCM**  
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- Based on letter / Basée sur la lettre \_\_\_\_\_  
signed on / signée le \_\_\_\_\_

**Comments / Remarques:**  
c/w D16-003337

**INSTRUCTIONS**

D:  Draft response / Faire un projet de réponse  
A:  Further letter to be combined with a previous document (see comments) / Nouvelle lettre à joindre à un document précédent (voir remarques)  
F:  Action at your discretion / Donner suite à votre discréption  
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CC: P. McCurry  
CC:  
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CC: C. Singh  
CC:  
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CC:

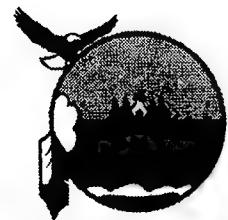
CC:  
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ATB 005105

MCURLY/MCLEOD  
271001  
C/w D16-06337  
CP



**MIKISEW CREE  
FIRST NATION**

**MIKISEW CREE FIRST NATION**

ALLISON BAY INDIAN RESERVE #219  
BOX 90, FORT CHIPEWYAN, ALBERTA T0P 1B0  
PHONE: (780) 697-3740 FAX: (780) 697-3826

February 5, 2016

Dear Prime Minister Trudeau,  
Office of the Prime Minister,  
80 Wellington Street,  
Ottawa, Ontario  
K1A 0A2

Dear Prime Minister Trudeau

**Re: Canadian Human Rights Tribunal Decision on First Nations child welfare and Jordan's Principle**

Following on your commitment to fully implement the Truth and Reconciliation Commission's recommendation, I/we are writing to you to urge your government to not appeal the recent Canadian Human Rights Tribunal decision on First Nations child and family services. We further require that the Government of Canada immediately and fully implement the measures outlined in the document entitled "First steps in fixing the inequities in First Nations child and family services: Immediate action reforms, EPFA<sup>1</sup>" to provide some immediate relief to the children's suffering while the longer term issues are resolved.

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---

<sup>1</sup> Available at [www.fnwitness.ca](http://www.fnwitness.ca)

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As this decision touches on the responsibilities of several departments, we urge you in your roles as Prime Minister and in your role as Minister of Youth, to take leadership role in ensuring that Canada fully and immediately ends its discriminatory practices toward First Nations children and their families.

I/we request a written and specific response from you and from Ministers Raybould-Wilson and Bennett to this letter.

Respectfully,

s.19(1)

Chief Steve Courtoeil

CC: Minister Bennett  
Minister Raybould-Wilson

## Ministerial Correspondence Unit - Justice Canada

**From:** Prime Minister/Premier Ministre <PM@pm.gc.ca>  
**Sent:** March 05, 2016 2:12 PM  
**To:** [REDACTED]  
**Cc:** Ministerial Correspondence Unit - Justice Canada; Carolyn Bennett  
**Subject:** Office of the Prime Minister / Cabinet du Premier ministre  
**Attachments:** letter\_to\_prime\_minister\_trudeau.pdf; image001\_UniqueID\_5.png

Dear Chief Courtoreille :

On behalf of the Right Honourable Justin Trudeau, I would like to acknowledge receipt of your correspondence.

Please be assured that your comments, offered on behalf of the Mikisew Cree First Nation, have been carefully reviewed. As copies of your correspondence have already been sent to the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, and the Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada, I am certain that they will have appreciated being made aware of your concerns and will wish to give them every consideration.

Thank you for writing to the Prime Minister.

A. Opalick  
Executive Correspondence Officer  
for the Prime Minister's Office  
Agent de correspondance  
de la haute direction  
pour le Cabinet du Premier ministre

>>> From : [REDACTED] Received : 17 Feb s.19(1)  
2016 01:20:56 PM >>>

>>> Subject : Canadian Human Rights Tribunal Decision on First Nations  
child welfare and Jordan's Principle >>>

See attached letter.

Original to follow via mail

Chief & Council Mikisew Cree First Nation Allison Bay Indian Reserve #219 P.O. Box  
90 Fort Chipewyan, AB T0P 1B0  
P: (780) 697-3740 ext. 231  
F: (780) 697-3826  
C: (780) 742-4713  
Email: [REDACTED]  
[cid:image001.png@01D16974.B2520EA0]

**To:** McCurry, Pam[Pam.McCurry@justice.gc.ca]; Singh, Christina[Christina.Singh@justice.gc.ca]  
**From:** Prévost, Chantal  
**Flag Status:** 0x00000000  
**Subject:** ecc 16-005105 incoming(1).pdf

16-005105 incoming(1).pdf

*Attached FOR INFORMATION ONLY is your copy of an incoming ministerial letter.*

---

*Ci-joint, vous trouverez copie d'une lettre ministérielle À TITRE INFORMATIF SEULEMENT.*

**Ministerial Correspondence Unit, Department of Justice**

**Unité de la correspondance ministérielle, Ministère de la Justice**

[mcu@justice.gc.ca](mailto:mcu@justice.gc.ca)

**MCU / UCM**  
**Ministerial Correspondence Unit / Unité de la correspondance ministérielle**  
**Routing Slip / Feuille de contrôle**

**Document Date / Date du document:** 2016-03-03  
**Date of Receipt / Reçu le:** 2016-03-03

**MCU # / # UCM:** 2016-006179

**Author /** **A. Opalick**  
**Auteur:** Executive Correspondence Officer

**Doc Type / Type de Doc:** R

Ottawa ON K1A 0A2

**Subject / Sujet:** 271001  
Indigenous and Northern Affairs Canada - General

pm@pm.gc.ca

s.19(1)

**Due Date / Date d'échéance:** 2016-05-05

**Copy to:** [REDACTED]

**Sector's Due Date / Date d'échéance du secteur:**

**Assigned To / Assigné à:** MCUED3

**Assigned Date / Assigné le:** 2016-03-22

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- Minister / Ministre
- Minister's Chief of Staff or Assistant / Chef de cabinet ou  
Adjoint du ministre
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signed on / signée le \_\_\_\_\_

**Comments / Remarques:**  
Summary report ATT.

**INSTRUCTIONS**

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I:  For your information (no action required) / À titre d'information (aucune mesure requise)

<b>CC:</b>	<b>CC:</b>	<b>CC:</b>	<b>CC:</b>
<b>CC:</b>	<b>CC:</b>	<b>CC:</b>	<b>CC:</b>
<b>CC:</b>	<b>CC:</b>	<b>CC:</b>	

**Closed / Fermé:**

**File Away / Classé:**

R16-006179

MCUED3

271001

Summary report  
Att.

## Ministerial Correspondence Unit - Justice Canada

**From:** Prime Minister/Premier Ministre <PM@pm.gc.ca>  
**Sent:** March 03, 2016 1:57 PM  
**To:** [REDACTED]  
**Cc:** Ministerial Correspondence Unit - Justice Canada; Carolyn Bennett; Jane Philpott  
**Subject:** Office of the Prime Minister / Cabinet du Premier ministre

Dear [REDACTED]

On behalf of the Right Honourable Justin Trudeau, I would like to acknowledge receipt of your e-mail correspondence. I regret the delay in replying.

Please be assured that your comments have been carefully reviewed. I have taken the liberty of forwarding your correspondence to the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, the Honourable Jane Philpott, Minister of Health, and the Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada, for their information and consideration.

Thank you for taking the time to write.

A. Opalick  
Executive Correspondence Officer  
for the Prime Minister's Office  
Agent de correspondance  
de la haute direction  
pour le Cabinet du Premier ministre

s.19(1)

>>> From : [REDACTED] Received : 08 Feb 2016 05:47:14 PM >>>

>>> Subject : PM Web Site Comments - Aboriginal Affairs and Northern Development >>>

Date: 2016/2/8 17:47:04

Name/Nom : [REDACTED]

E-Mail/Adresse électronique : [REDACTED]

Address/Adresse : [REDACTED]

City/Adresse : [REDACTED]

Province : ON Postal Code/Code postal : [REDACTED]

Telephone/Téléphone : [REDACTED]

Comments/Commentaires : Dear Prime Minister, The Canadian Human Rights Tribunal recently issued a decision finding the federal government's provision of First Nations child welfare and failure to properly implement Jordan's Principle racially discriminates against 163,000 children. While I welcome the warm words of the Ministers of Justice and Indigenous Affairs, the government has failed to rule out an appeal and has not taken any concrete action to relief the children's suffering. This decision affects the Departments of Indigenous Affairs, Justice, Health, Children and Families and Youth so I call on you to exercise your leadership to ensure that racial discrimination as fiscal policy is eliminated across all federal government departments. I applaud your commitment to reconciliation and in its simplest form it means not saying sorry twice. You have a chance to ensure this generation of First Nations children don't have to recover from their childhoods and to align Canadian policy with Canadian values- please take it. Thank you.

To: [REDACTED]  
Sent: Mon 6/13/2016 5:24:26 PM  
From: Ministerial Correspondence Unit - Mailout  
Flag Status: 0x00000000  
Subject: Correspondence from the Minister of Justice and Attorney General of Canada

Dear [REDACTED]

s.19(1)

Thank you for your correspondence, which was forwarded by the Office of the Prime Minister, concerning the Canadian Human Rights Tribunal decision on First Nations child and family services. I regret the delay in responding.

I would like to assure you that the Government of Canada will not seek a judicial review of the decision.

As you may be aware, the matters you raise fall more directly within the purview of the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, to whom I note a copy of your correspondence has already been sent. While I appreciate being made aware of your concerns, I will leave the matter to be considered by Minister Bennett.

Thank you again for writing.

Respectfully,

The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.



16-006139

No.: 2016-006179

**MINISTERIAL CORRESPONDENCE  
CORRESPONDANCE DU MINISTRE**

MINISTER'S OFFICE FILE NO.  
N° DE DOSSIER DU BUREAU DU MINISTRE 271001

**DU DATE**  
**DATE D'ÉCHÉANCE** May 5, 2016

## Canada

CONTINUED ON BACK COVE  
000058

**To:** Monette, Suzanne[Suzanne.Monette@justice.gc.ca]  
**Subject:** 16-006179 Incoming(1).pdf  
**Sent:** Wed 3/23/2016 7:30:18 PM  
**From:** Thaker, Prutha

Released under the Access to Information Act /  
Divulgué(s) en vertu de la Loi sur l'accès à l'information.

Hi Suzanne,

We have received a letter which was forwarded by PMO, in which the letter writer is asking for concrete action on the Canadian Human Rights Tribunal ruling which found that the federal government has discriminated against children on reserve. Given that our Minister has commented on this issue, <http://www.cbc.ca/news/politics/federal-government-not-appeal-children-reserves-1.3458969>, should a reply be drafted for this? If not, is it a referral to INAC? Please let us know by April 6<sup>th</sup>.

Thank you,

Prutha Thaker

Writer | Rédactrice  
Justice Canada  
Ministerial Correspondence Unit | Unité de la correspondance ministérielle  
284, rue Wellington Street  
Ottawa, Ontario K1A 0H8  
Tél: 613-948-3007  
Fax: 613-957-3559

**To:** Thaker, Prutha[Prutha.Thaker@justice.gc.ca]  
**Cc:** Ministerial Correspondence Unit - Justice Canada[mcu@justice.gc.ca]  
**From:** Monette, Suzanne  
**Flag Status:** 0x00000000  
**Subject:** RE: 16-006179 Incoming(1).pdf

Hello Prutha,

Sandra Leduc has reviewed this 16-006179 incoming.

She indicated the following:

*"Because the PM's office has directed this to Justice and INAC, I think we should respond briefly by saying we have announced we will not be seeking a judicial review, etc. (as per our Minister's previous statement) and that we understand this has also been sent to INAC for further consideration."*

*Suzanne Monette  
Adjointe à la correspondance et à l'agenda*

*Bureau de la Sous-procureure générale adjointe  
Ministère de la Justice - Portefeuille des affaires Autochtones*

*Scheduling and Correspondence Assistant  
Assistant Deputy Attorney General's Office  
Department of Justice - Aboriginal Affairs Portfolio  
275 rue Sparks Street, Room/pièce 7075  
Ottawa, Ontario K1A 0H8  
613-907-3648  
suzanne.monette@justice.gc.ca*

**From:** Thaker, Prutha  
**Sent:** 2016-Mar-23 3:30 PM  
**To:** Monette, Suzanne  
**Subject:** 16-006179 Incoming(1).pdf

Hi Suzanne,

We have received a letter which was forwarded by PMO, in which the letter writer is asking for concrete action on the Canadian Human Rights Tribunal ruling which found that the federal government has discriminated against children on reserve. Given that our Minister has commented on this issue, <http://www.cbc.ca/news/politics/federal-government-not-appeal-children-reserves-1.3458969>, should a reply be drafted for this? If not, is it a referral to INAC? Please let us know by April 6<sup>th</sup>.

Thank you,

Prutha Thaker

Writer | Rédactrice  
Justice Canada  
Ministerial Correspondence Unit | Unité de la correspondance ministérielle  
284, rue Wellington Street  
Ottawa, Ontario K1A 0H8  
Tél: 613-948-3007  
Fax: 613-957-3559

**MCU / UCM**  
**Ministerial Correspondence Unit / Unité de la correspondance ministérielle**  
**Routing Slip / Feuille de contrôle**

**Document Date / Date du document:** 2016-03-11  
**Date of Receipt / Reçu le:** 2016-03-11

**MCU # / # UCM:** 2016-007017

**Author / Auteur:** **A. Opalick**  
Executive Correspondence Officer  
  
Prime Minister's Office  
  
Ottawa ON K1A 0A2  
  
pm@pm.gc.ca

**Doc Type / Type de Doc:** R

**Subject / Sujet:** 271001  
Indigenous and Northern Affairs Canada - General

**Due Date / Date d'échéance:** 2016-05-16

**Sector's Due Date / Date d'échéance du secteur:**

*Copy to: Deb Foxcroft & Ken Watts*

**Assigned To / Assigné à:** MCUED3

**Assigned Date / Assigné le:** 2016-04-04

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- Based on letter / Basée sur la lettre \_\_\_\_\_  
signed on / signée le \_\_\_\_\_

**Comments / Remarques:**

**INSTRUCTIONS**

D:  Draft response / Faire un projet de réponse  
A:  Further letter to be combined with a previous document (see comments) / Nouvelle lettre à joindre à un document précédent (voir remarques)  
F:  Action at your discretion / Donner suite à votre discréction  
     Further letter to be combined with a previous document (see comments) / Nouvelle lettre à joindre à un document précédent (voir remarques)  
I:  For your information (no action required) / À titre d'information (aucune mesure requise)

CC: P. McCurry  
CC:  
CC:

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CC:  
CC:

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CC:

**Closed / Fermé:**

**File Away / Classé:**

**Ministerial Correspondence Unit - Justice Canada**

NP  
R16-007017  
MCUEN03

**From:** Prime Minister/Premier Ministre <PM@pm.gc.ca>  
**Sent:** 2016-Mar-11 2:24 PM  
**To:** REDACTED  
**Cc:** Ministerial Correspondence Unit - Justice Canada; Carolyn Bennett  
**Subject:** Office of the Prime Minister / Cabinet du Premier ministre  
**Attachments:** > Prime\_Minister\_HRT\_Feb\_19\_2016.pdf

271001

s.19(1)

Dear Ms. Foxcroft and Mr. Watts :

On behalf of the Right Honourable Justin Trudeau, I would like to acknowledge receipt of your correspondence of February 22.

Please be assured that your comments, offered on behalf of the Nuu-chah-nulth Tribal Council, have been carefully reviewed. As copies of your correspondence have already been sent to the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, and the Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada, I am certain that they will have appreciated being made aware of your concerns and will wish to give them every consideration.

Thank you for writing to the Prime Minister.

A. Opalick  
Executive Correspondence Officer  
for the Prime Minister's Office  
Agent de correspondance  
de la haute direction  
pour le Cabinet du Premier ministre

>>> From : REDACTED  
Received : 22 Feb 2016 12:02:39 PM >>>

>>> Subject : Canadian Human Rights Tribunal Decision on First Nations  
child welfare and Jordan's Principle >>>>

Good morning,

Please find attached a letter from the Nuu-chah-nulth Tribal Council.

Haa %uk#inik tiic^mis suuti> yuq#aa

Thank you,

REDACTED  
A/ Executive Assistant

Nuu-chah-nulth Tribal Council  
5001 Mission Rd  
PO Box 1383  
Port Alberni, BC, V9Y 7M2  
Phone: 250-724-5757  
Toll-free: 1-877-677-1131

Fax: 250-723-0463

s.19(1)

Website: [www.nuuchahnulth.org](http://www.nuuchahnulth.org)<<http://www.nuuchahnulth.org>>



# Nuu-chah-nulth Tribal Council

AHOUSAHT  
DITIDAHT  
?IIHATIS / ČIINAXINT  
HESQUIAHT  
HUPACASATH

HUU-AY-AHT  
KA:YU:K'T'H' / CHE:K:TLES7ET'H'  
MOWACHAHT/MUCHALAHT  
NUCHATLAHT  
TLA-O-QUI-AHT

TOQUAHT  
TSESHAHT  
UCHUCKLESAHT  
YUUŁU?E?ATH

P.O. BOX 1383  
PORT ALBERNI, BC  
V9Y 7M2

Tel: 250.724.5757  
Toll-free: 1.877.677.1131  
Fax: 250.723.0463

February 19, 2016

Dear Prime Minister Trudeau,  
Office of the Prime Minister,  
80 Wellington Street,  
Ottawa, Ontario  
K1A 0A2

Dear Prime Minister Trudeau,

**Re: Canadian Human Rights Tribunal Decision on First Nations child welfare and Jordan's Principle**

Following on your commitment to fully implement the Truth and Reconciliation Commission's recommendation, the Nuu-chah-nulth Tribal Council is writing to you to urge your government

- to not appeal the recent Canadian Human Rights Tribunal decision on First Nations child and family services. We further require that the Government of Canada immediately and fully implement the measures outlined in the document entitled "First steps in fixing the inequities in First Nations child and family services: Immediate action reforms, Directive 20-1" to provide some immediate relief to the children's suffering while the longer term issues are resolved.
- In addition we urgently require immediate increase to the operations funding of our agency, Usma Nuu-chah-nulth, to eliminate deficits resulting from the erosion of funding from inflation since the agency was established, and to provide prevention focussed funding at least equivalent to that already provided in other regions of the country.

As you are aware, First Nations children receive fewer public services than all other children in education, health care, early childhood, child welfare and basics like water and proper housing. This inequality has been perpetrated by successive federal and provincial/territorial governments and must end immediately. The Canadian Human Rights Tribunal orders the Government of

- Canada to immediately cease its discriminatory practices and to properly implement Jordan's Principle to ensure First Nations children are not denied or delayed receipt of services available to other children. This landmark decision provides all of us with an opportunity to fully end racial discrimination as federal government fiscal policy.

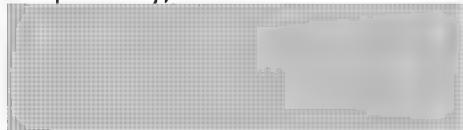
First Nations children in British Columbia are funded in accordance with Directive 20-1 which provides the lowest level of child welfare funding among INAC's four funding approaches. This means that culturally based prevention services to keep children safely at home are not available contributing to growing numbers of children in foster care. The dramatic over-representation of our children in foster care perpetuates the multi-generational harms arising from residential schools. The Tribunal's order coupled with the Government of Canada's commitment to Reconciliation requires that the Federal Government take immediate action.

While we welcome the comments of Ministers Bennett and Raybould-Wilson regarding the decision, we also note that an appeal of the decision has not been ruled out nor has there been any concrete action to implement the Tribunal's direction to immediately cease the discrimination and implement Jordan's Principle across all federal government services. Please be advised while we welcome the Federal Government's announcement of new funding for First Nations child welfare and education, our expectation is that the government will eliminate inequities across all government services immediately. There is no room for racial discrimination against children in Canadian government policy nor can its continuance be legitimized by arguments in favour of government convenience or considerations. Children only get one childhood and it is time for the Government of Canada to put them first.

As this decision touches on the responsibilities of several departments, we urge you in your role as Prime Minister and in your role as Minister of Youth, to take leadership role in ensuring that Canada fully and immediately ends its discriminatory practices toward First Nations children and their families.

Nuu-chah-nulth Tribal Council requests a written and specific response from you and from Ministers Raybould-Wilson and Bennett to this letter.

Respectfully,



Deb Foxcroft, OBC  
President

s.19(1)



Ken Watts  
Vice-President

Cc. Honourable C. Bennett, Minister of Indigenous and Northern Affairs  
Honourable J. Wilson-Raybould, Minister of Justice and Attorney General of Canada  
Dr. Cindy Blackstock, First Nations Child and Family Caring Society of Canada  
First Nations Summit  
Union of BC Indian Chiefs  
BC Assembly of First Nations

Minister of Justice  
and Attorney General of Canada



Ministre de la Justice  
et procureur général du Canada

Ottawa, Canada K1A 0H8

Minister's File: 271001 2016-007017

JUL 19 2016

Ms. Deb Foxcroft  
President  
Mr. Ken Watts  
Vice-President  
Nuu-chah-nulth Tribal Council  
P.O. Box 1383  
Port Alberni BC V9Y 7M2

Dear Ms. Foxcroft and Mr. Watts:

The Office of the Prime Minister has forwarded to me a copy of your correspondence, sent on behalf of the Nuu-chah-nulth Tribal Council, concerning the Canadian Human Rights Tribunal decision on First Nations child and family services. I regret the delay in responding.

As I publicly stated early on, I would like to assure you that the Government of Canada has determined not to seek a judicial review of the decision.

As you may be aware, the matters you raise fall more directly within the purview of my colleague the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, to whom I note a copy of your correspondence has already been sent. While I appreciate being made aware of your concerns, I will leave the matter to be considered by Minister Bennett.

I appreciate having had your comments brought to my attention.

Respectfully,

**Original signed by /**  
**Original signé par**

The Honourable Jody Wilson-Raybould

P.Thaker(948-3007)/md

MINISTERIAL CORRESPONDENCE  
CORRESPONDANCE DU MINISTREMINISTER'S OFFICE FILE NO.  
Nº DE DOSSIER DU BUREAU DU MINISTRE 271001DUE DATE  
DATE D'ÉCHÉANCE May 16, 2016

REFERRED TO TRANSMIS À	REMARKS REMARQUES	DATE	INITIALS INITIALES
Sandy		June 20 2016	ms
[REDACTED]	Action	June 20/16	BS
MOTAG	for rev / sig	June 26	an
MCH	update pls	July 6	an
MCU/UCM - Sed 5	MO-CORRECT	JUL 06 2016	
MCU/UCM	Approve	July 8 2016	F
WP		July 8 2016	BS
Sandy		July 11 2016	ms
[REDACTED]	approve	JUL 11 2016	a
MCH	updated for approval	July 14	an
MCU/UCM - Sed	MO-CORRECT	JUL 15 2016	G
Sandy		July 15 2016	ms
[REDACTED]	approve	JUL 15 2016	sc
MCH	B Sig	July 18	a
MCU/UCM	B SIG/ Date/Stamp/Mail	JUL 19 2016	G

**To:** .McCurry, Pam[Pam.McCurry@justice.gc.ca]  
**From:** Poirier, Nathalie  
**Flag Status:** 0x00000000  
**Subject:** ECC: 16-007017 Incoming Ken Watts

16-007017 Incoming(1).pdf

Attached FOR INFORMATION ONLY is your copy of an incoming ministerial letter.

---

Ci-joint, vous trouverez copie d'une lettre ministérielle À TITRE INFORMATIF SEULEMENT.

**Ministerial Correspondence Unit, Department of Justice**  
**Unité de la correspondance ministérielle, Ministère de la Justice**  
**mcu@justice.gc.ca**

## Trudel, Emilie

---

**De:** Aaron, David  
**Envoyé:** April-26-16 3:07 PM  
**À:** Garskey, Adam; Taschereau, Alexia; Bickert, Geoffrey; van Dieen, Jodie; Patry, Claudine  
**Cc:** Mayo, Deborah; Leduc, Sandra; Demeter, Tracey; Nabbali, Talitha; Fobert, Andrew  
**Objet:** AFN Ruling - : FNCFCSC et al. v. AGC - 2016 CHRT 10  
**Pièces jointes:** 2016 CHRT 10.pdf

**Indicateur de suivi:** Follow up  
**État de l'indicateur:** Avec indicateur

s.23

### David Aaron

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

Canadian Human  
Rights Tribunal



Tribunal canadien  
des droits de la personne

**Citation:** 2016 CHRT 10

**Date:** April 26, 2016

**File No.:** T1340/7008

**Between:**

**First Nations Child and Family Caring Society of Canada**

**- and -**

**Assembly of First Nations**

**Complainants**

**- and -**

**Canadian Human Rights Commission**

**Commission**

**- and -**

**Attorney General of Canada**

**(Representing the Minister of Indian Affairs and Northern Development Canada)**

**Respondent**

**- and -**

**Chiefs of Ontario**

**- and -**

**Amnesty International**

**Interested Parties**

**Ruling**

**Members:** Sophie Marchildon and Edward Lustig

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## I. Continuation of remedial order

[1] In *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2016 CHRT 2 (the *Decision*), this Panel found the Complainants had substantiated their complaint that First Nations children and families living on reserve and in the Yukon are denied equal child and family services, and/or differentiated adversely in the provision of child and family services, pursuant to section 5 of the *Canadian Human Rights Act* (the *CHRA*).

[2] The Panel generally ordered Aboriginal Affairs and Northern Development Canada, now Indigenous and Northern Affairs Canada (INAC), to cease its discriminatory practices and reform the First Nations Child and Family Services (FNCFS) Program and the *Memorandum of Agreement Respecting Welfare Programs for Indians* applicable in Ontario (the *1965 Agreement*) to reflect the findings in the Decision. INAC was also ordered to cease applying its narrow definition of Jordan's Principle and to take measures to immediately implement the full meaning and scope of the principle.

[3] Given the complexity and far-reaching effects of these orders, the Panel requested further clarification from the parties on how these orders could best be implemented on a practical, meaningful and effective basis, both in the short and long term. It also requested further clarification with respect to the Complainants' requests for compensation under sections 53(2)(e) and 53(3) of the *CHRA*. The Panel retained jurisdiction to deal with these outstanding issues following further clarification from the parties.

[4] The Panel advised the parties it would address the outstanding questions on remedies in three steps. First, the Panel will address requests for immediate reforms to the FNCFS Program, the *1965 Agreement* and Jordan's Principle. This is the subject of the present ruling.

[5] Other mid to long-term reforms to the FNCFS Program and the *1965 Agreement*, along with other requests for training and ongoing monitoring will be dealt with as a second step. Finally, the Parties will address the requests for compensation under ss. 53(2)(e) and 53(3) of the *CHRA*.

## II. Progress to date

[6] INAC accepts the *Decision* and has not sought judicial review of its findings or general orders. It is committed to working with child and family services agencies; front-line service providers; First Nations organizations, leadership, and communities; the Complainants; and the provinces and territories, on steps towards program reform and meaningful change for children and families. It has also specifically committed to the following:

- A full-scale reform of its child welfare program.
- Review of the *1965 Agreement*.
- Not to reduce or restrict funding to the FNCFS Program
- To immediately re-establish the National Advisory Committee.
- And, it supports the new iteration of the Canadian Incidence Study.

[7] INAC's submissions also indicated that immediate relief in response to the *Decision* would include increased funding for the FNCFS Program. The 2016 federal budget allocated \$634.8 million over five years for the FNCFS Program. According to INAC, \$71.1 million is to be provided in 2016-2017 for the following:

- \$54.2 million for:
  - immediate adjustments to Operations and Prevention through additional investments to update existing funding agreements;
  - increases to the per child service purchase amounts (including for prevention services);
  - funding for intake and investigation services;
  - upward adjustments for agencies with more than 6% of children in care; and,

- investments for providing federal support to expand provincial case management systems on reserve.
- \$16.2 million for prevention funding in Ontario, British Columbia, New Brunswick, Newfoundland and Labrador and Yukon at nationally-consistent levels across all jurisdictions.
- \$700,000 to INAC resources for outreach, engagement and effective allocation of funding to service providers.

[8] In addition to the funding identified in the 2016 budget, INAC also commits to provide additional funding for:

- maintenance funding to respond to budgetary pressures created as a result of provincial legislative changes to service delivery requirements, as they arise; and
- support for an engagement process going forward in conjunction with the National Advisory Committee and Regional Tables to work on medium and long-term reform.

[9] The Panel acknowledges the commitments made by the Federal government so far and is encouraged by its efforts to implement the Tribunal's orders.

### III. Updated order

[10] It is worth reiterating some of the Tribunal's remedial principles in order to foster a common understanding of the Panel's goals and authorities in crafting a remedy in response to the *Decision*.

[11] Human rights legislation expresses fundamental values and pursues fundamental goals. In fact, the Supreme Court of Canada has confirmed the quasi-constitutional nature of the CHRA on many occasions (see for example *Robichaud v. Canada (Treasury Board)*, [1987] 2 SCR 84 at pp. 89-90 [*Robichaud*]; *Canada (House of Commons) v. Vaid*, 2005 SCC 30 at para. 81; and *Canada (Canadian Human Rights Commission) v. Canada (Attorney General)*, 2011 SCC 53 at para. 62 [*Mowaf*]). In line with this special status, the

CHRA must be interpreted in a broad, liberal and purposive manner so that the rights enunciated therein are given their full recognition and effect (see *Mowat* at paras. 33 and 62).

[12] Likewise, when crafting a remedy following the substantiation of a complaint, the Tribunal's powers under section 53 of the CHRA must be interpreted so as to best ensure the objects of the Act are obtained. Pursuant to section 2, the purpose of the CHRA is to give effect to the principle that:

all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices...

[13] It is the Tribunal's responsibility to consider this dominant purpose in crafting an order under section 53 of the CHRA. Consistent with that purpose, the aim in making an order under section 53 is not to punish the person found to be engaging or to have engaged in a discriminatory practice, but to eliminate and prevent discrimination (see *Robichaud* at para. 13; and *CN v. Canada (Canadian Human Rights Commission)*, [1987] 1 SCR 1114 at p. 1134 [*Action Travail des Femmes*]).

[14] On a principled and reasoned basis, in consideration of the particular circumstances of the case and the evidence presented, the Tribunal must ensure its remedial orders are effective in promoting the rights protected by the CHRA and meaningful in vindicating any loss suffered by the victim of discrimination (see *Hughes v. Elections Canada*, 2010 CHRT 4 at para. 50; *Doucet-Boudreau v. Nova Scotia (Minister of Education)*, 2003 SCC 62 at paras. 25 and 55; and *Action Travail des Femmes* at p. 1134).

[15] That said, constructing effective and meaningful remedies to resolve a complex dispute, as is the situation in this case, is an intricate task. Indeed, as the Federal Court of Canada stated in *Grover v. Canada (National Research Council)* (1994), 24 CHRR D/390 (FC) at para. 40 [*Grover*], “[s]uch a task demands innovation and flexibility on the part of

the Tribunal in fashioning effective remedies and the Act is structured so as to encourage this flexibility."

[16] Aside from orders of compensation, this flexibility in fashioning effective remedies arises mainly from sections 53(2)(a) and (b) of the *CHRA*. Those sections provide the Tribunal with the authority to order measures to redress the discriminatory practice or prevent the same or similar practice from occurring in the future [see s. 53(2)(a)]; and to order that the victim of a discriminatory practice be provided with the rights, opportunities or privileges that are being or were denied [see s. 53(2)(b)].

[17] The application of these broad remedial authorities can override an organization's right to manage its own enterprise and, with particular regard to section 53(2)(b), can afford the victim of a discriminatory practice a remedy in specific performance (see *Canada (Attorney General) v. Johnstone*, 2013 FC 113 at paras. 165 and 167, varied on other grounds in *Canada (Attorney General) v. Johnstone*, 2014 FCA 110; and *Canada (Attorney General) v. McAlpine* (1989), 12 CHRR D/253 (FCA) at para. 6). In line with ensuring remedial orders are effective in promoting the rights it protects, section 53(2)(a) can also be used to craft remedies designed to educate individuals about the rights enshrined in the *CHRA* (see *Schuyler v. Oneida Nation of the Thames*, 2006 CHRT 34 at paras. 166-170; and *Robichaud v. Brennan* (1989), 11 CHRR D/194 (CHRT) at paras. 15 and 21).

[18] With specific regard to the circumstances of this case, section 53(2)(a) of the *CHRA* has been described as being designed to meet the problem of systemic discrimination (see *Action Travail des Femmes* at p. 1138 referring to the *CHRA*, S.C. 1976-77, c. 33, s. 41(2)(a) [now s. 53(2)(a)]). To combat systemic discrimination, "it is essential to create a climate in which both negative practices and negative attitudes can be challenged and discouraged" (*Action Travail des Femmes* at p. 1139). That is, for the Tribunal to redress and prevent systemic discriminatory practices, it must consider any historical patterns of discrimination in order to design appropriate strategies for the future (see *Action Travail des Femmes* at p. 1141).

[19] It is with these remedial principles in mind that the Panel approaches the task of continuing to craft an effective and meaningful order to address the discriminatory practices identified in the *Decision*.

#### A. The FNCFS Program

[20]. The Panel's main findings with regard to the need to reform and redesign the FNCFS Program in the short and long term were summarized at paragraphs 384-389 (see also para. 458) of the *Decision* and include (emphasis added):

[384] Under the FNCFS Program, Directive 20-1 has a number of shortcomings and creates incentives to remove children from their homes and communities. Mainly, Directive 20-1 makes assumptions based on population thresholds and children in care to fund the operations budgets of FNCFS Agencies. These assumptions ignore the real child welfare situation in many First Nations' communities on reserve. Whereas operations budgets are fixed, maintenance budgets for taking children into care are reimbursable at cost. If an FNCFS Agency does not have the funds to provide services through its operations budget, often times the only way to provide the necessary child and family services is to bring the child into care. For small and remote agencies, the population thresholds of Directive 20-1 significantly reduce their operations budgets, affecting their ability to provide effective programming, respond to emergencies and, for some, put them in jeopardy of closing.

[385] Directive 20-1 has not been significantly updated since the mid-1990's resulting in underfunding for FNCFS agencies and inequities for First Nations children and families on reserves and in the Yukon. In addition, Directive 20-1 is not in line with current provincial child welfare legislation and standards promoting prevention and least disruptive measures for children and families. As a result, many First Nations children and their families are denied an equitable opportunity to remain with their families or to be reunited in a timely manner. In 2008, at the time of the Complaint, the vast majority of FNCFS Agencies across Canada functioned under Directive 20-1. At the conclusion of the hearing in 2014, Directive 20-1 was still applicable in three provinces and in the Yukon Territory.

[386] AANDC incorporated some of the same shortcomings of Directive 20-1 into the EPFA, such as the assumptions about children in care and population levels, along with the fixed streams of funding for operations and prevention. Despite being aware of these shortcomings in Directive 20-1 based on numerous reports, AANDC has not followed the recommendations

in those reports and has perpetuated the main shortcoming of the FNCFS Program: the incentive to take children into care - to remove them from their families.

[387] Furthermore, like Directive 20-1, the EPFA has not been consistently updated in an effort to keep it current with the child welfare legislation and practices of the applicable provinces. Once EPFA is implemented, no adjustments to funding for inflation/cost of living or for changing service standards are applied to help address increased costs over time and to ensure that prevention-based investments more closely match the full continuum of child welfare services provided off reserve. In contrast, when AANDC funds the provinces directly, things such as inflation and other general costs increases are reimbursed, providing a closer link to the service standards of the applicable province/territory.

[388] In terms of ensuring reasonably comparable child and family services on reserve to the services provided off reserve, the FNCFS Program has a glaring flaw. While FNCFS Agencies are required to comply with provincial/territorial legislation and standards, the FNCFS Program funding authorities are not based on provincial/territorial legislation or service standards. Instead, they are based on funding levels and formulas that can be inconsistent with the applicable legislation and standards. They also fail to consider the actual service needs of First Nations children and families, which are often higher than those off reserve. Moreover, the way in which the funding formulas and the program authorities function prevents an effective comparison with the provincial systems. The provinces/territory often do not use funding formulas and the way they manage cost variables is often very different. Instead of modifying its system to effectively adapt it to the provincial/territorial systems in order to achieve reasonable comparability; AANDC maintains its funding formulas and incorporates the few variables it has managed to obtain from the provinces/territory, such as salaries, into those formulas.

[389] Given the current funding structure for the FNCFS Program is not adapted to provincial/territorial legislation and standards, it often creates funding deficiencies for such items as salaries and benefits, training, cost of living, legal costs, insurance premiums, travel, remoteness, multiple offices, capital infrastructure, culturally appropriate programs and services, band representatives, and least disruptive measures. It is difficult, if not impossible, for many FNCFS Agencies to comply with provincial/territorial child and family services legislation and standards without appropriate funding for these items; or, in the case of many small and remote agencies, to even provide child and family services. Effectively, the FNCFS funding formulas provide insufficient funding to many FNCFS Agencies to address the needs of their clientele. AANDC's funding methodology controls their ability to improve outcomes for children and families and to ensure

reasonably comparable child and family services on and off reserve. Despite various reports and evaluations of the FNCFS Program identifying AANDC's "reasonable comparability" standard as being inadequately defined and measured, it still remains an unresolved issue for the program.

[21] The Complainants and Commission requested INAC to immediately remove the most discriminatory aspects of the funding schemes it uses to fund FNCFS Agencies under the FNCFS Program; and, in response, the Panel ordered INAC to cease its discriminatory practices and reform the FNCFS Program to reflect the findings in the *Decision*. While the Panel did request clarification on certain remedial items and understood the Federal government may need some time to review the *Decision* and develop a strategy to address it, that was three months ago and there is still uncertainty amongst the parties and the Panel as to how the Federal government's response to the *Decision* addresses the findings above. The Panel appreciates that some reforms to the FNCFS Program will require a longer-term strategy; however, it is still unclear why or how some of the findings above cannot or have not been addressed within the three months since the *Decision*. Instead of being immediate relief, some of these items may now become mid-term relief.

[22] Again, while it appreciates the Federal government's commitments and efforts to date, the Panel requires more clarity from INAC moving forward to ensure its orders are effectively and meaningfully implemented. As the Assembly of First Nations stated in its submissions; "[a]n order for immediate relief to the FNCFS Program should be meaningful but temporary until such time that the FNCFS Program can be completely overhauled." The Panel agrees with this statement. To address this, the Panel believes the best course of action is for INAC to provide ongoing reporting to the Tribunal. That is, the Panel will supervise the implementation of its orders by way of regular detailed reports created by INAC, to which the parties will have an opportunity to provide submissions.

[23] The Panel orders INAC to immediately take measures to address the items underlined above from the findings in the *Decision*. INAC will then provide a comprehensive report, which will include detailed information on every finding identified above and explain how they are being addressed in the short term to provide immediate relief to First Nations children on reserve. The report should also include information on

budget allocations for each FNCFS Agency and timelines for when those allocations will be rolled-out, including detailed calculations of the amounts received by each agency in 2015-2016; the data relied upon to make those calculations; and, the amounts each has or will receive in 2016-2017, along with a detailed calculation of any adjustments made as a result of immediate action taken to address the findings in the *Decision*.

[24] INAC is directed to provide this report within four weeks of this ruling. Following reception of the report, and given the length of time that has elapsed since the *Decision*, an in-person case management meeting will then occur to provide an opportunity for the parties and Panel to discuss the report, ask questions, and make submissions, if any. Thereafter, the Panel will issue a further ruling if necessary. The Tribunal will canvass the parties for dates for this case management meeting in the days following the release of this ruling.

[25] The Panel recognizes that INAC provided additional information regarding its 2016 budget allocation for the FNCFS Program following the close of submissions for this ruling and invited the parties to meet to discuss the issue. The Complainants raised concerns with the timing and manner in which this information was sent to the Tribunal. Neither is interested in another round of submissions on the issue at this time. The Panel did not consider INAC's additional information regarding the 2016 budget as part of this ruling. However, in a much more detailed fashion, this information will presumably form part of the material to be included in the report to follow and the other parties will have an opportunity to provide submissions thereon.

## **B. The 1965 Agreement**

[26] The Panel's main finding with regard to the *1965 Agreement* was that it had not been updated to ensure on-reserve communities in Ontario could fully comply with the *Child and Family Services Act*, including the provision of Band Representatives and mental health services (see the *Decision* at paras. 217-246 and 458).

[27] The Federal government has indicated that it has met with the Government of Ontario and expressed a need to review the *1965 Agreement*. It submits these preliminary

meetings have set the stage for more substantive discussions that will take place with First Nations.

[28] Furthermore, following the *Decision* and while submissions were being filed in advance of this ruling, the Nishnawbe Aski Nation (NAN) filed a motion seeking interested party status. NAN seeks to address the design and implementation of the Panel's orders with specific regard to the context of remote and northern communities in Ontario.

[29] Notwithstanding NAN's motion, the Panel made a commitment to the parties to rule upon immediate relief items expeditiously and wanted to rule upon as many of those items as possible in this ruling. However, given the Panel will rule upon NAN's motion shortly following the release of this ruling and that there may be further submissions to consider on the *1965 Agreement*, the Panel believes it would be more appropriate to address any immediate relief items with respect to the *1965 Agreement* after receiving those further submissions from the parties.

### C. Jordan's Principle

[30] In the *Decision*, the Panel found the Federal government's definition and implementation of Jordan's Principle to be narrow and inadequate, resulting in service gaps, delays and denials for First Nations children. Namely, that delays were inherently built into the Federal government's process for dealing with potential Jordan's Principle cases and that it was unclear why the government's approach to Jordan's Principle cases focused on inter-governmental disputes in situations where a child has multiple disabilities, as opposed to all jurisdictional disputes (including between federal government departments) involving all First Nations children and not just those with multiple disabilities (see the *Decision* at paras. 379-382 and 458).

[31] According to the Federal government, INAC and Health Canada have begun discussions on the process for expanding the definition of Jordan's Principle, improving its implementation and identifying other partners who should be involved in this process. Over the next two to three months, it will begin engaging First Nations and the provinces and

territories in these discussions. It anticipates options for changes to Jordan's Principle could be developed within twelve months.

[32] However, the Panel's order specifically indicated that INAC was to "...immediately implement the full meaning and scope of Jordan's principle" (the *Decision* at para. 481). While it understands a period of time may have been needed to meet with partners and stakeholders and put a framework in place, the Panel did not foresee this order would take more than three months to implement. The order is to "immediately implement", not immediately start discussions to review the definition in the long-term. There is already a workable definition of Jordan's Principle that has been adopted by the House of Commons. While review of this definition and the Federal government's framework for implementing it may benefit from further long-term review, the Panel sees no reason why the current definition cannot be implemented now.

[33] Therefore, the Panel orders INAC to immediately consider Jordan's Principle as including all jurisdictional disputes (this includes disputes between federal government departments) and involving all First Nations children (not only those children with multiple disabilities). Pursuant to the purpose and intent of Jordan's Principle, the government organization that is first contacted should pay for the service without the need for policy review or case conferencing before funding is provided.

[34] INAC will report to the Panel within two weeks of this ruling to confirm this order has been implemented.

#### **D. Other issues**

[35] The Complainants made various other submissions with respect to implementing the Panel's orders in the short term. While some were addressed by INAC, others were not (see for example para. 16 of the First Nations Child and Family Caring Society's submissions dated March 31, 2016; and paras. 12-15 of the Assembly of First Nations' submissions dated March 3, 2016). It would be helpful to the Panel and the parties if INAC could respond to those additional immediate relief items as part of its report on the FNCFS Program ordered above. Therefore, in its FNCFS Program report, the Panel directs INAC

to address the immediate relief items sought by the Complainants that have not been addressed in INAC's submissions to date.

#### **E. Retention of jurisdiction**

[36] Remedial orders designed to address systemic discrimination can be difficult to implement and, therefore, may require ongoing supervision. Retaining jurisdiction in these circumstances ensures the Panel's remedial orders are effectively implemented (see Grover at paras. 32-33).

[37] Given the ongoing nature of the orders above, and given the Panel still needs to rule upon other outstanding remedial requests, the Panel will continue to maintain jurisdiction over this matter. Any further retention of jurisdiction will be re-evaluated following the further reporting by INAC and the Panel's ruling on the other outstanding remedies.

#### **IV. Concluding remarks by Panel Chairperson**

[38] I wish to share some concluding remarks with the parties. Member Lustig has read and supports these remarks.

[39] The hearings in this matter were held in a spirit of reconciliation, with an overarching goal of maintaining an atmosphere of peace and respect. Respect for all involved was paramount and, given the nature of the case, respect for Aboriginal peoples not only participating in the proceedings, but also following the proceedings in person and on the Aboriginal Peoples Television Network. Fostering this atmosphere of peace and respect is of paramount importance considering the Tribunal's key role in determining fundamental human rights and in safeguarding the public's confidence in the administration of justice, especially for Aboriginal peoples.

[40] In dealing with the remaining remedial issues in this case, we should continue to aim for peace and respect. More importantly, I urge everyone involved to ponder the true meaning of reconciliation and how we can achieve it. I strongly believe that we have an

opportunity, all of us together, to set a positive example for the children across Canada, and even across the world, that we are able to do our part in achieving reconciliation in Canada. My hope and goal is that, for generations to come, people will look at what was done in this case as a turning point that led to meaningful change for First Nations children and families in this country. We, the Panel and parties, are in a privileged position to continue to contribute to this change in a substantial way.

[41] On this journey towards change, I hope trust can be rebuilt between the parties. Effective and transparent communication will be of the utmost importance in this regard. Words need to be supported by actions and actions will not be understood if they are not communicated. Reconciliation cannot be achieved without communication and collaboration amongst the parties. While the circumstances that led to the findings in the *Decision* are very disconcerting, the opportunity to address those findings through positive change is now present. **This is the season for change. The time is now.**

[42] Finally, in keeping with the spirit of reconciliation and expediency in this matter, the Panel had hoped the parties would have met a few times by now and discussed remedies. Each party has information and/or expertise that would assist those discussions and be of benefit in resolving this matter more expeditiously. While the Panel was required to issue this ruling, it continues to encourage the parties to meet and discuss the resolution of this matter. As always, the Panel is available to assist and remains committed to overseeing the implementation of its orders in the short and the long term.

*Signed by*

**Sophie Marchildon**  
Panel Chairperson

**Edward P. Lustig**  
Tribunal Member

Ottawa, Ontario  
April 26, 2016

## Trudel, Emilie

---

**De:** Nabbali, Talitha  
**Envoyé:** April-28-16 3:37 PM  
**À:** Taschereau, Alexia  
**Cc:** Garskey, Adam; Leduc, Sandra  
**Objet:** RE: AFN decision - Questions for today  
**Pièces jointes:** AFN Q&As.docx

Here is the document.

Sandra is getting ADM McCurry to approve. Both Geoff (doing LP4 interviews) and Jodie (at 4C) are out of the office (so they can't approve). I have indicated who was consulted on which Q&As.

Talitha

Talitha A. Nabbali  
Special Advisor and Counsel | Conseillère spéciale et avocate  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
50 O'Connor Street | 50, rue O'Connor  
6th Floor | 6e étage  
Ottawa, Ontario  
K1A 0H8  
Tel: (613) 670-6354

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## Trudel, Emilie

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**De:** Taschereau, Alexia  
**Envoyé:** April-28-16 4:18 PM  
**À:** Garskey, Adam  
**Cc:** Patry, Claudine  
**Objet:** FW: Heads-up from Justice DMs' office  
**Pièces jointes:** AFN QAs.docx

This is the document that I sent to Me Legault. No changes from the version you worked on earlier Adam.

---

**From:** Taschereau, Alexia  
**Sent:** Thursday, April 28, 2016 4:17 PM  
**To:** 'laura.david@pco-bcp.gc.ca'  
**Cc:** Rousselle, Sonia  
**Subject:** Heads-up from Justice DMs' office

Good afternoon

Could you please deliver the attached word document to Associate Deputy Minister Legault on my behalf.

Thank you in advance.

*Alexia Taschereau*

Chief of Staff- Senior Counsel / Chef de Cabinet -Avocate Conseil  
Office of the Associate Deputy Minister / Bureau du sous-ministre délégué  
Department of Justice Canada / Ministère de la Justice Canada  
284 Wellington Street, Room 4175 / 284 rue Wellington, pièce 4175  
Ottawa, Ontario K1A 0H8  
tel.- tél (613) 957-3270

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---

**From:** Rousselle, Sonia  
**Sent:** Thursday, April 28, 2016 12:00 PM  
**To:** 'laura.david@pco-bcp.gc.ca'  
**Cc:** Rousselle, Sonia; Taschereau, Alexia  
**Subject:** Heads-up from Justice DMs' office

Bonjour Laura,

Je vais te transmettre, en fin d'après-midi, par courriel de l'information qui devra être remise au SM Pentney et au SM délégué Legault aussitôt reçu. Je te contact le cas échéant. Merci et bonne journée.

**Sonia Rousselle**

Adjointe exécutive au Sous-ministre délégué / Executive Assistant to the Associate Deputy Minister  
Bureau du sous-ministre délégué Pierre Legault / Associate Deputy Minister's Office Pierre Legault  
Justice Canada

[Sonia.rousselle@justice.gc.ca](mailto:Sonia.rousselle@justice.gc.ca)

Tél: (613) 941-4072

Fax: (613) 941-4074

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## Trudel, Emilie

**De:** Leduc, Sandra  
**Envoyé:** April-30-16 4:30 PM  
**À:** Taschereau, Alexia; Garskey, Adam; Bickert, Geoffrey; McCurry, Pam  
**Cc:** Kropp, Douglas; Clark, Caroline; Bostwick, Edith  
**Objet:** Briefing Materials - CHRT  
**Pièces jointes:** 2016 04 30 - CHRT BN.docx; 2016 04 30 - CHRT ES.docx; [REDACTED]  
[REDACTED]

Hi Adam and Alexia,

s.23

As requested and for your review, please find attached the revised briefing materials, [REDACTED]

Let us know if you have any comments,  
Sandra

**Sandra Leduc**

Conseillère spéciale et avocate | Special Advisor and Counsel  
Bureau de la sous-ministre adjointe | Assistant Deputy Minister's Office  
Portefeuille des affaires autochtones | Aboriginal Affairs Portfolio  
Justice Canada  
275 rue Sparks – 7<sup>e</sup> étage, Tour St. Andrew |  
275 Sparks Street – 7<sup>th</sup> Floor St. Andrew's Tower  
Ottawa, ON, CANADA K1A 0H8  
Phone: 613-907-3665

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**COTE DE SECURITE/SECURITY CLASSIFICATION: Protected B**  
**Solicitor-Client/ Litigation Privilege**  
**FOR INFORMATION**

**TITRE/TITLE: *Assembly of First Nations & First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada***

**SOMMAIRE EXÉCUTIF/EXECUTIVE SUMMARY**



Soumis par (secteur)/Submitted by (Sector): Aboriginal Affairs Portfolio  
Responsable dans l'équipe du SM/Lead in the DM Team: Adam Garskey  
Revue dans l'ULM par/Edited in the MLU by: Sarah McCulloch



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2016-009364

## MEMORANDUM FOR THE MINISTER

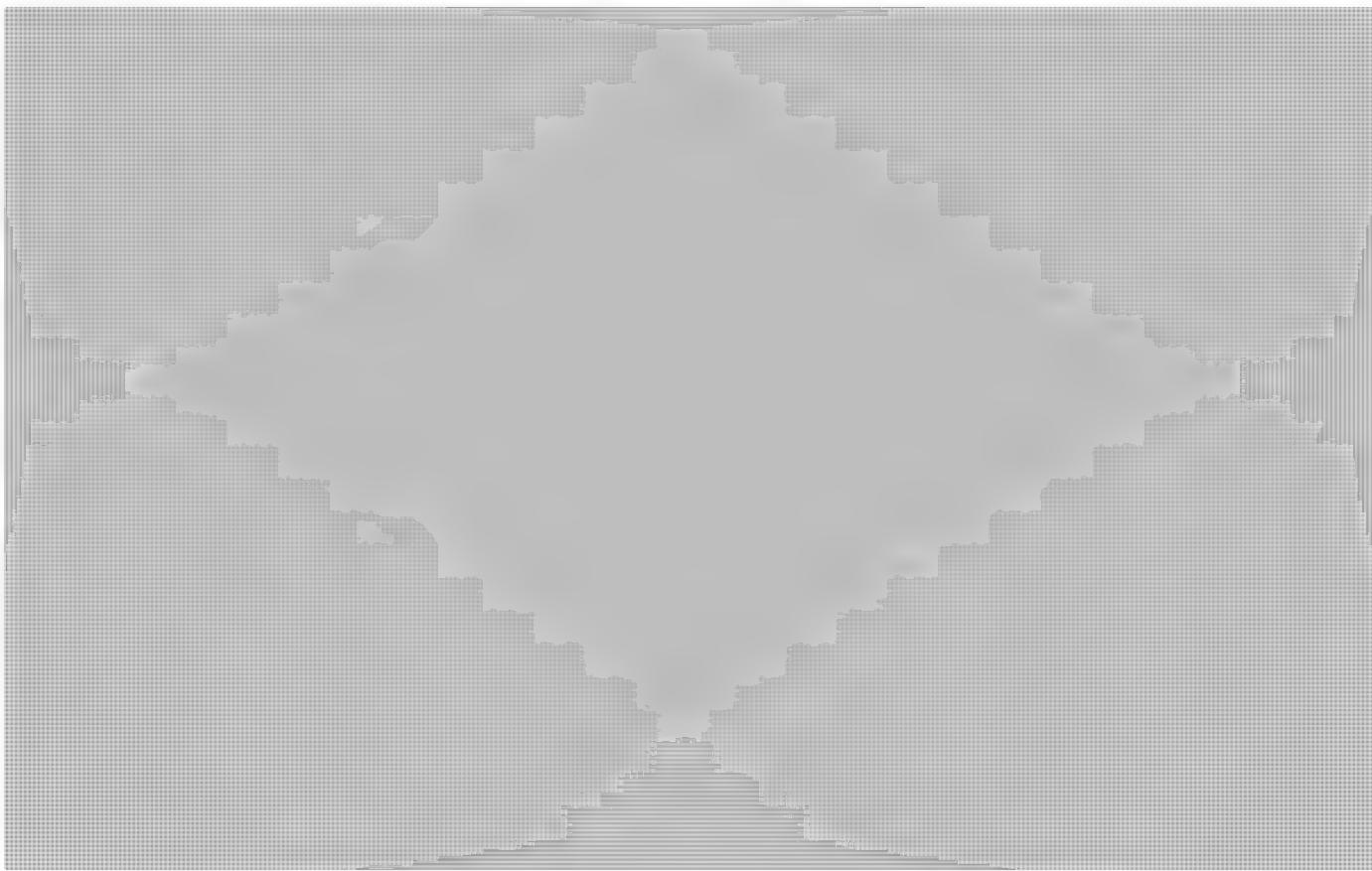
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et al. v. Attorney General of Canada*

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**ANNEX**

Annex 1:



**PREPARED BY**

Doug Kropp  
Senior Counsel  
Aboriginal Affairs Portfolio  
613-907-3626

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**Trudel, Emilie**

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**De:** Leduc, Sandra  
**Envoyé:** May-01-16 11:48 AM  
**À:** Garskey, Adam; Taschereau, Alexia  
**Objet:**   
**Pièces jointes:** 

Sandra

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## Trudel, Emilie

---

**De:** Ministerial Liaison Unit  
**Envoyé:** May-02-16 9:14 AM  
**À:** Ministerial Liaison Unit; Facette, Pierrette; Kwan, Diana; Leduc, Sandra  
**Cc:** \* NLS ADAGO; \* MLU Group; Diotte, Michelle; Garskey, Adam; Lafleur, Eric; Leclerc, Caroline; Legault, Yanike; Patry, Claudine; Poliquin, Stéphanie; Rousselle, Sonia; Taschereau, Alexia  
**Objet:** RESUBMITTED 2016-009364 Assembly of First Nations & First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada  
**Pièces jointes:** RESUBMITTED 2016-009364.pdf; 1. revs mlu 30 April 2016-009364 - ES -CHRT.docx; 2. revs mlu 30 April 2016 - 009364-BN- CHRT.docx; 3. revs mlu 1 May 2016 - [REDACTED]

s.23

Bonjour,

Please be advise that the above-references briefing note was re-approved by the Deputy Minister's office and resubmitted to the Minister's office on May 2, 2015, **for information**.

Attached for your reference and file is the final e-versions.

Please do not hesitate to contact MLU at [MLU-ULM@justice.gc.ca](mailto:MLU-ULM@justice.gc.ca) should you have any questions or concerns.

Kindly,

*Isabelle Ethier*

Ministerial Liaison Unit | Unité de liaison ministérielle  
Department of Justice Canada | Ministère de la Justice Canada  
EMB 4262  
Phone : 613-946-6617  
Berry : 613-415-5130

---

**From:** Ministerial Liaison Unit  
**Sent:** April-29-16 4:26 PM  
**To:** Facette, Pierrette; Kwan, Diana; Leduc, Sandra  
**Cc:** \* NLS ADAGO; \* MLU Group; Diotte, Michelle; Garskey, Adam; Lafleur, Eric; Leclerc, Caroline; Legault, Yanike; Ministerial Liaison Unit; Patry, Claudine; Poliquin, Stéphanie; Rousselle, Sonia; Taschereau, Alexia  
**Subject:** SUBMITTED 2016-009364 Assembly of First Nations & First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada

Bonjour,

Please be advised that the above-referenced briefing note was approved by the Deputy Minister's office and submitted to the Minister's office on April 29, 2016, **for information**. The Annex 1 will follow shortly.

Attached for your reference and file is the final e-versions.

Please do not hesitate to contact MLU at [MLU-ULM@justice.gc.ca](mailto:MLU-ULM@justice.gc.ca) should you have any questions or concerns.

Kindly,

*Isabelle Ethier*

Document Control Officer | Agente de contrôle de documents  
Ministerial Liaison Unit | Unité de liaison ministérielle  
Department of Justice Canada | Ministère de la Justice Canada  
284 Wellington Street, Room 4262 | 284, rue Wellington, pièce 4262  
Ottawa, Ontario K1A 0H8  
Telephone | Téléphone 613-946-6617  
[isabelle.ethier@justice.gc.ca](mailto:isabelle.ethier@justice.gc.ca)



Department of Justice  
Canada

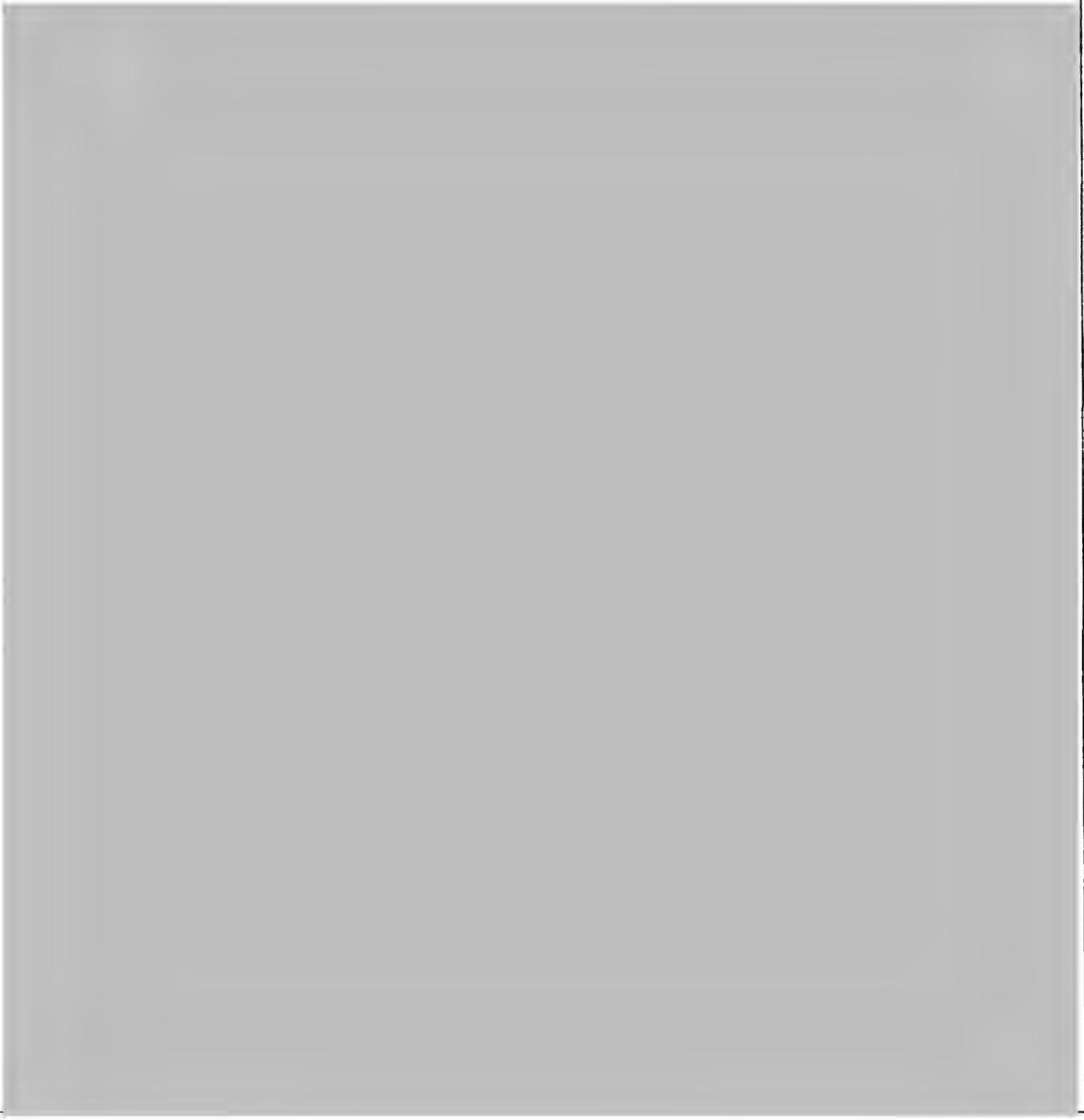
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NUMERO DU DOSSIER/FILE #: 2016-009364  
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**TITRE/TITLE:** *Assembly of First Nations & First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada*

**SOMMAIRE EXÉCUTIF/EXECUTIVE SUMMARY**

A large rectangular area of the document has been completely redacted with a solid gray color, obscuring several pages of content.

Soumis par (secteur)/Submitted by (Sector):

Aboriginal Affairs Portfolio

Responsable dans l'équipe du SM/Lead in the DM Team:

Adam Garskey

Revue dans l'ULM par/Edited in the MLU by:

Sarah McCulloch

Soumis au CM/Submitted to MO: Revised on May 1<sup>st</sup>, 2016 (April 29, 2016)

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2016-009364

## MEMORANDUM FOR THE MINISTER

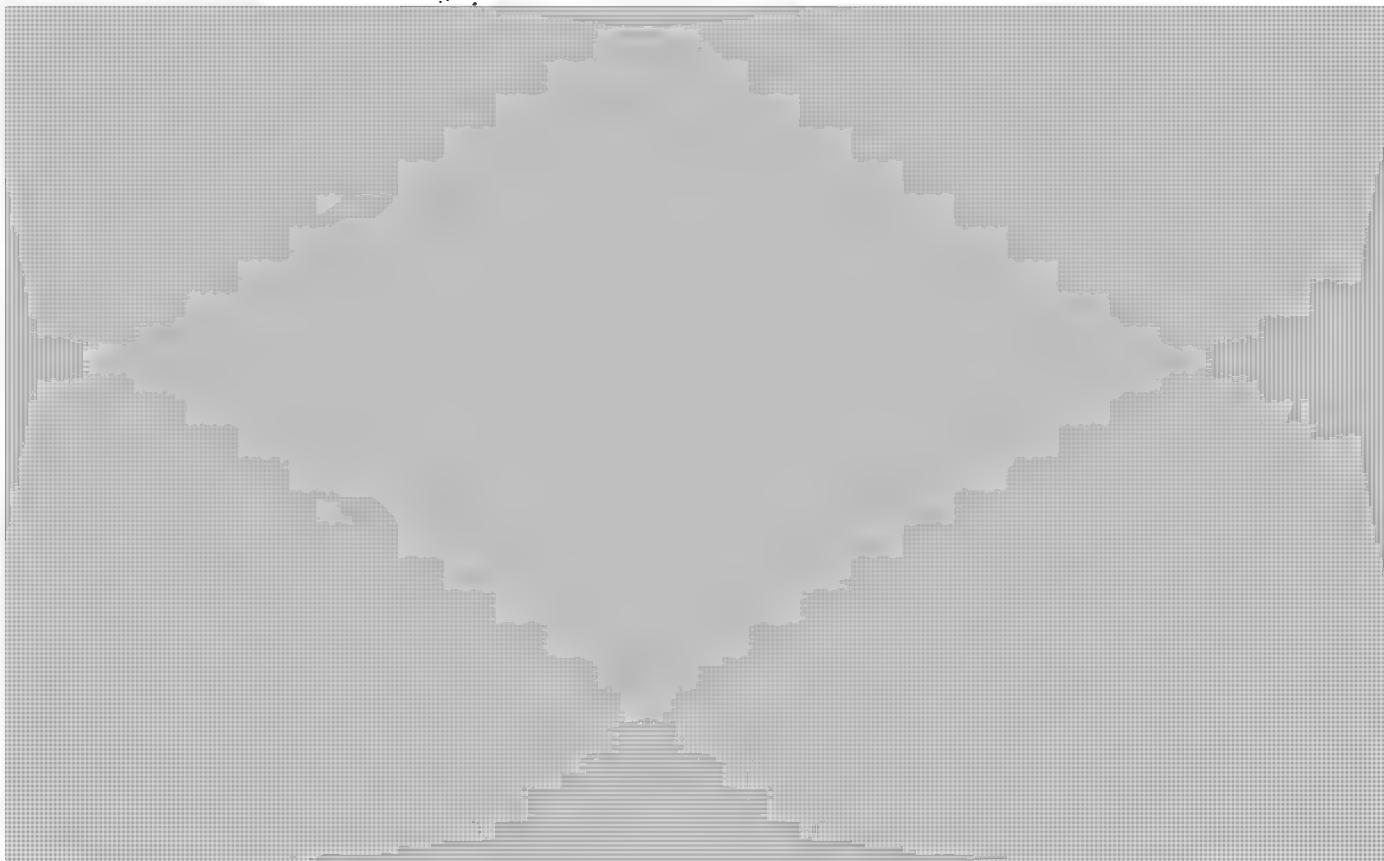
*Assembly of First Nations & First Nations Child and Family Caring Society of Canada  
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**ANNEX**

Annex 1: 

**PREPARED BY**

Doug Kropp  
Senior Counsel  
Aboriginal Affairs Portfolio  
613-907-3626

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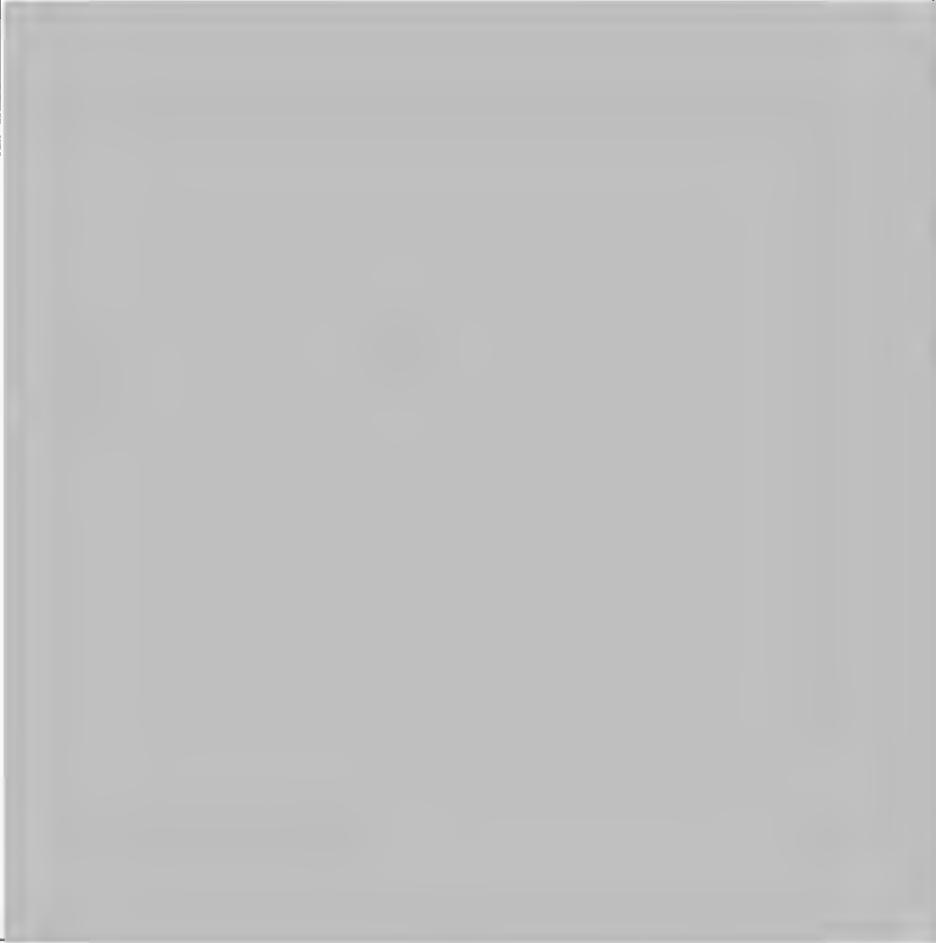
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TITRE/TITLE: *Assembly of First Nations & First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada*

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Aboriginal Affairs Portfolio

Responsable dans l'équipe du SM/Lead in the DM Team:

Adam Garskey

Revue dans l'ULM par/Edited in the MLU by:

Sarah McCulloch

Soumis au CM/Submitted to MO: Revised on May 1<sup>st</sup>, 2016 (29-April-29, 2016)

**Mis en forme : Exposant**

s.23



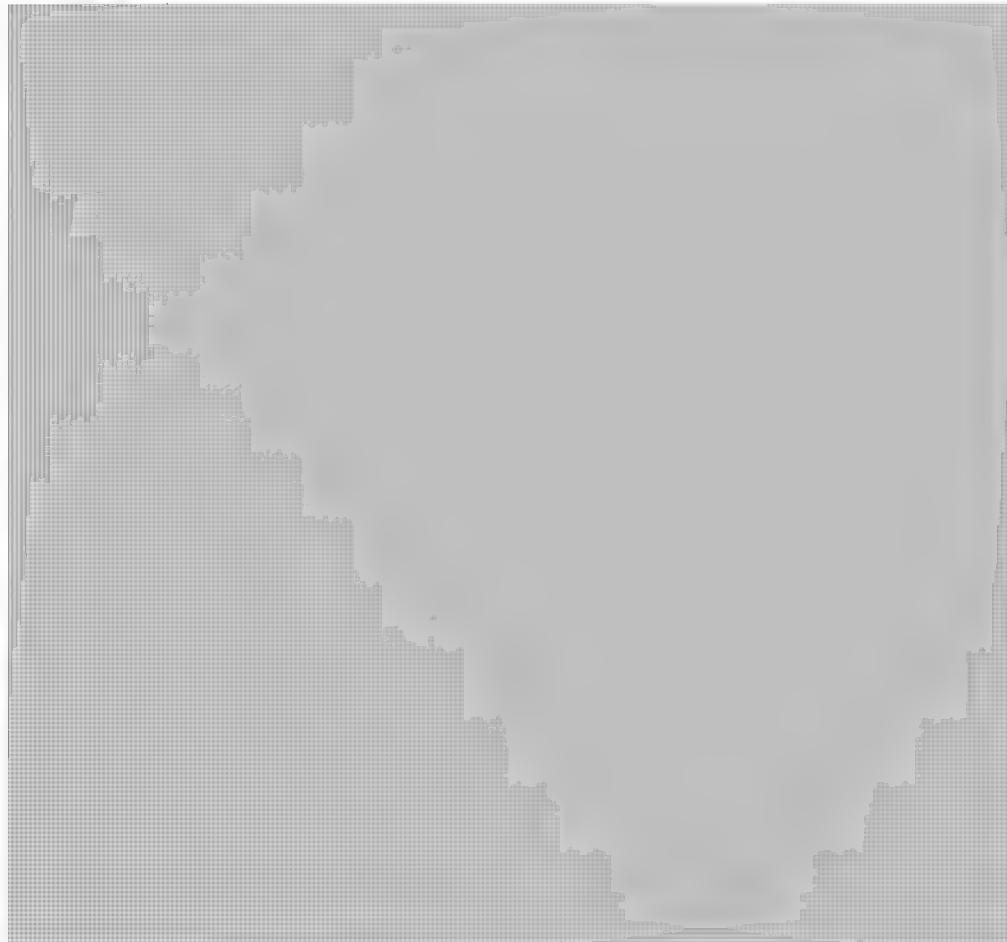
Department of Justice  
Canada      Ministère de la Justice  
Canada

Protected B  
Solicitor-Client/Litigation Privilege  
FOR INFORMATION

2016-009364

## MEMORANDUM FOR THE MINISTER

*Assembly of First Nations & First Nations Child and Family Caring Society of Canada  
et al. v. Attorney General of Canada*



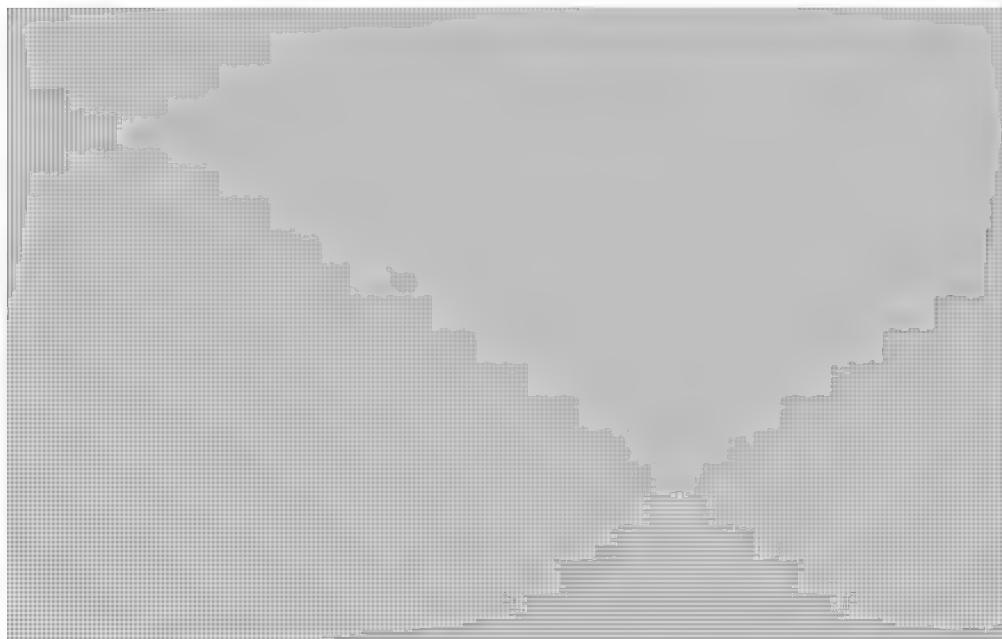
Mis en forme : Exposant

Page 1 of 3  
revs mlu 29 AprilMay 1<sup>st</sup> 2016-009364-BN-CHRT decision in the AFN matter

**Page 137**  
**is withheld pursuant to section**  
**est retenue en vertu de l'article**

**23**

**of the Access to Information Act**  
**de la Loi sur l'accès à l'information**



**ANNEX**

Annex 1:



**PREPARED BY**

Doug Kropp  
Senior Counsel  
Aboriginal Affairs Portfolio  
613-907-3626

revs mlu 29-April-May 1<sup>st</sup> 2016-009364-BN-CHRT decision in the AFN matter

Page 3 of 3

**Mis en forme : Exposant**

**Pages 139 to / à 147  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**23**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**s.23**

**From:** Kropp, Douglas  
**Sent:** Monday, May 02, 2016 1:02 PM  
**To:** 'Krista Robertson'  
**Subject:** [REDACTED]

[REDACTED]

Doug

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 03, 2016 12:16 PM  
**To:** McEvenue, Shannon  
**Subject:** [REDACTED]

s.23

Hi Shannon,

[REDACTED]

Thanks,  
Doug

**From:** McEvenue, Shannon  
**Sent:** May 3, 2016 11:44 AM  
**To:** Kropp, Douglas  
**Subject:** RE: [REDACTED]

[REDACTED]

**From:** Kropp, Douglas  
**Sent:** May-02-16 5:26 PM  
**To:** McEvenue, Shannon  
**Subject:** [REDACTED]

Hi Shannon,

[REDACTED]

## Trudel, Emilie

---

**De:** Aaron, David  
**Envoyé:** May-04-16 9:29 AM  
**À:** Garskey, Adam  
**Cc:** Taschereau. Alexia; Nabbali, Talitha; Leduc, Sandra; Patry, Claudine  
**Objet:** [REDACTED]

**Indicateur de suivi:** Follow up  
**État de l'indicateur:** Terminé

s.23

Adam,



### David Aaron

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint

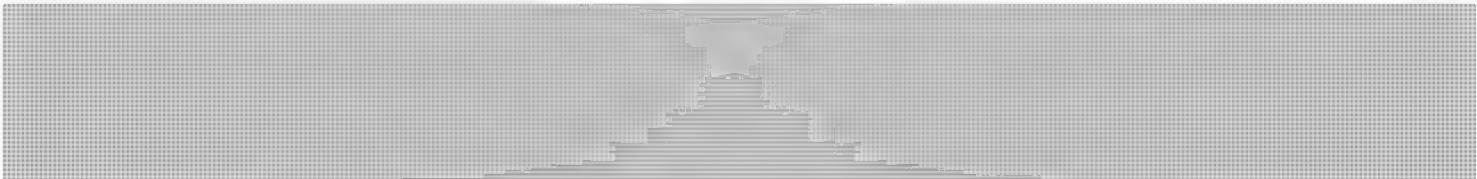
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

---

**From:** Garskey, Adam  
**Sent:** May-02-16 2:14 PM  
**To:** Aaron, David  
**Cc:** Taschereau, Alexia; Nabbali, Talitha; Leduc, Sandra; Patry, Claudine  
**Subject:** [REDACTED]

s.23

Hi David,



Thanks in advance,

Adam

Adam Garskey  
Counsel | Avocat  
Office of the Associate Deputy Minister / Bureau du sous-ministre délégué  
Department of Justice Canada / Ministère de la Justice Canada  
284 Wellington Street, Room 4190 / 284 rue Wellington, pièce 4190  
Ottawa, Ontario K1A 0H8  
[adam.garskey@justice.gc.ca](mailto:adam.garskey@justice.gc.ca)  
Telephone | Téléphone : 613-957-4918  
Government of Canada | Gouvernement du Canada

**Pages 152 to / à 153  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**23**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

s.21(1)(b)

## Trudel, Emilie

---

**De:** Tarlton, Jonathan  
**Envoyé:** May-06-16 2:02 PM  
**À:** Walton, Carol; Garskey, Adam; Taschereau, Alexia  
**Cc:** \* NLS ADAGO; Leduc, Sandra; Hansen, David; Blue, Amy  
**Objet:** [REDACTED]  
**Pièces jointes:** 16499442.docx

**Indicateur de suivi:** Follow up  
**Échéance avant le:** May-06-16 2:30 PM  
**État de l'indicateur:** Terminé

For your convenience, we attach a clean version. We are hoping to get this to INAC before close of business.

Thanks,

JT

---

**From:** Walton, Carol  
**Sent:** Friday, May 06, 2016 2:57 PM  
**To:** Garskey, Adam; Taschereau, Alexia  
**Cc:** \* NLS ADAGO; Tarlton, Jonathan; Leduc, Sandra; Hansen, David; Blue, Amy  
**Subject:** [REDACTED]

Adam / Alexia

Geoff has reviewed this version (no changes) and approved.

Carol  
Office: 613-670-6353

s.23

---

**From:** Bickert, Geoffrey  
**Sent:** May-06-16 1:00 PM  
**To:** Walton, Carol  
**Subject:** [REDACTED]

---

**From:** Blue, Amy  
**Sent:** Friday, May 06, 2016 12:59:34 PM (UTC-05:00) Eastern Time (US & Canada)  
**To:** Tarlton, Jonathan; Bickert, Geoffrey; Kropp, Douglas  
**Cc:** Taschereau, Alexia; Aaron, David; Garskey, Adam; Leduc, Sandra; Hansen, David  
**Subject:** [REDACTED]

Good Afternoon,

The revised version is attached.

Regards,

Amy

s.21(1)(b)

**From:** Tarlton, Jonathan  
**Sent:** Friday, May 06, 2016 1:52 PM  
**To:** Bickert, Geoffrey <[Geoffrey.Bickert@justice.gc.ca](mailto:Geoffrey.Bickert@justice.gc.ca)>; Kropp, Douglas <[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>; Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>; Leduc, Sandra <[Sandra.Leduc@justice.gc.ca](mailto:Sandra.Leduc@justice.gc.ca)>  
**Subject:** [REDACTED]  
**Importance:** High

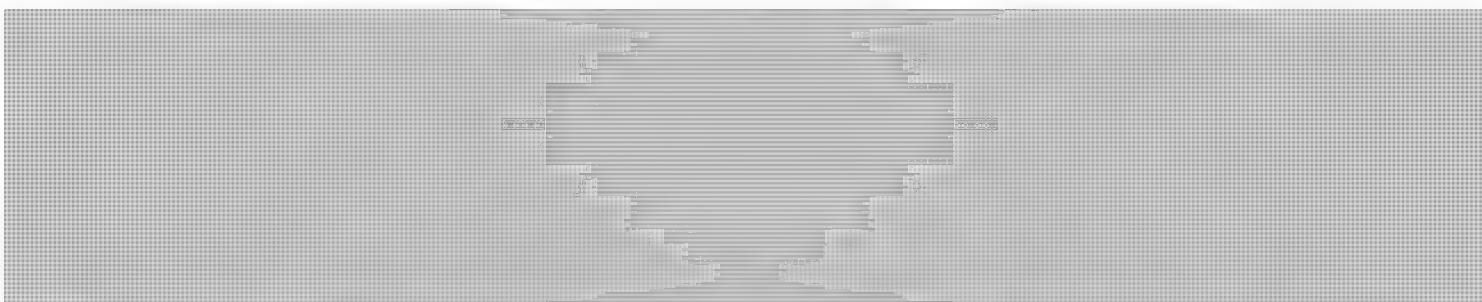


JT

s.21(1)(a)  
s.23

**From:** Bickert, Geoffrey  
**Sent:** Friday, May 06, 2016 1:40 PM  
**To:** Tarlton, Jonathan; Kropp, Douglas  
**Cc:** Taschereau, Alexia; Aaron, David; Garskey, Adam; Leduc, Sandra  
**Subject:** [REDACTED]

s.69(1)(g) re (a)



Geoff

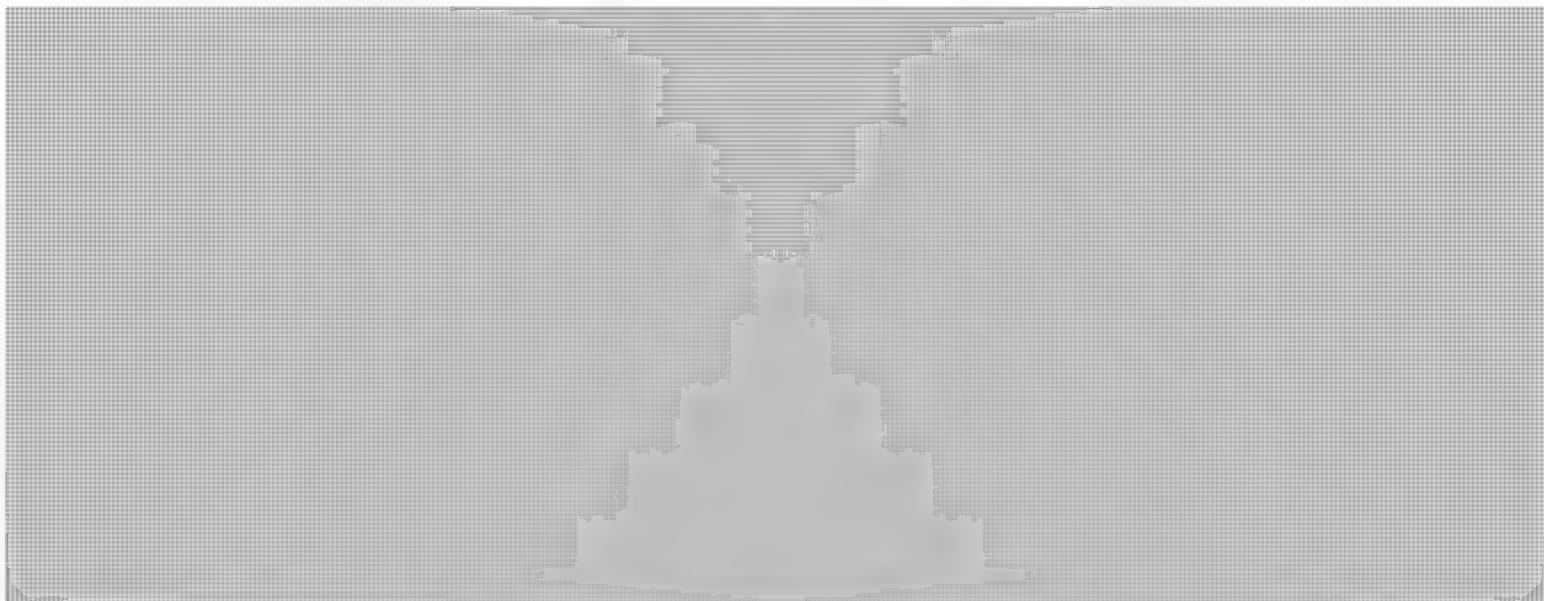
**From:** Tarlton, Jonathan  
**Sent:** 2016-May-06 12:34 PM  
**To:** Bickert, Geoffrey; Kropp, Douglas  
**Cc:** Taschereau, Alexia; Aaron, David; Garskey, Adam; Leduc, Sandra  
**Subject:** [REDACTED]



**From:** Bickert, Geoffrey  
**Sent:** Friday, May 06, 2016 1:30 PM  
**To:** Tarlton, Jonathan; Kropp, Douglas  
**Cc:** Taschereau, Alexia; Aaron, David; Garskey, Adam; Leduc, Sandra  
**Subject:** [REDACTED]  
**Importance:** High

s.21(1)(a)  
s.23

Jonathan or Doug: [REDACTED]



Geoff

s.21(1)(a)

s.23

s.21(1)(b)

**From:** Aaron, David  
**Sent:** 2016-May-06 12:18 PM  
**To:** Bickert, Geoffrey  
**Cc:** \* NLS ADAGO  
**Subject:** [REDACTED]  
**Importance:** High

Geoff – for your approval.

**Pages 157 to / à 158  
are withheld pursuant to sections  
sont retenues en vertu des articles**

**21(1)(a), 21(1)(b), 23**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Page 159**  
**is withheld pursuant to section**  
**est retenue en vertu de l'article**

**69(1)(g) re (a)**

**of the Access to Information Act**  
**de la Loi sur l'accès à l'information**

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 10, 2016 1:04 PM  
**To:** Chan, Melissa  
**Subject:** [REDACTED]

Thanks.

**From:** Chan, Melissa  
**Sent:** May 10, 2016 1:03 PM  
**To:** Kropp, Douglas  
**Cc:** Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

Thanks Doug. [REDACTED]

---

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 10, 2016 2:01 PM  
**To:** Chan, Melissa  
**Cc:** Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

s.23

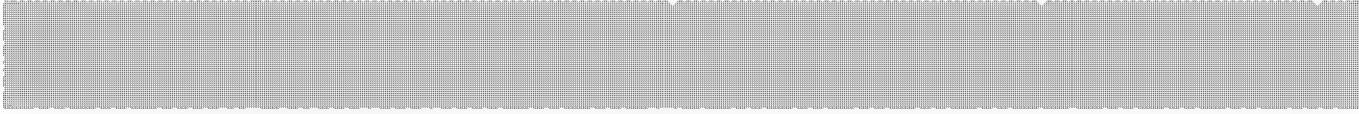
Hi Melissa,

Doug

---

**From:** Chan, Melissa  
**Sent:** May 10, 2016 12:49 PM  
**To:** Kropf, Douglas  
**Cc:** Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]  
**Importance:** High

Hi Doug,



**From:** Aaron, David  
**Sent:** Tuesday, May 10, 2016 1:38 PM  
**To:** Chan, Melissa; van Dieen, Jodie; Nabbali, Talitha  
**Cc:** Kropf, Douglas; Leduc, Sandra; 'Moen, Amy (FIN)'; Fairbairn, Douglas (AADNC-AANDC); Wilson, Heather (AADNC-AANDC); 'Latham, Jane (HC/SC)'; Tarlton, Jonathan; MacPhee, Patricia; Blue, Amy; Hansen, David; Kontos, Alexis; Lovell, John  
**Subject:** [REDACTED]  
**Importance:** High

s.23

Thanks Melissa.



**David Aaron**

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

**From:** Chan, Melissa

**Sent:** May-10-16 12:16 PM

**To:** Aaron, David; van Dieen, Jodie; Nabbali, Talitha

**Cc:** Kropp, Douglas; Leduc, Sandra; 'Moen, Amy (FIN)'; Fairbairn, Douglas (AADNC-AANDC); Wilson, Heather (AADNC-AANDC); 'Latham, Jane (HC/SC)'; Tarlton, Jonathan; MacPhee, Patricia; Blue, Amy; Hansen, David; Kontos, Alexis; Lovell, John

**Subject:** [REDACTED]

**Importance:** High

**s.23**

Good afternoon,

[REDACTED]

Many thanks,

Melissa

**From:** Krista Robertson [<mailto:Krista.Robertson@aadnc-aandc.gc.ca>]

**Sent:** Tuesday, May 10, 2016 12:32 PM

**To:** Chan, Melissa

**Cc:** Blue, Amy; Kropf, Douglas; Tarlton, Jonathan; MacPhee, Patricia  
**Subject:** 

**s.23**

Hi Melissa,



Thanks,  
Krista

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 10, 2016 3:07 PM  
**To:** Aaron, David; Chan, Melissa; Nabbali, Talitha; van Dieen, Jodie  
**Cc:** MacPhee, Patricia; Blue, Amy; Blue, Amy; Hansen, David  
**Subject:** [REDACTED]

Hi David,

[REDACTED]

Doug

---

**From:** Kropp, Douglas  
**Sent:** May 10, 2016 2:58 PM  
**To:** Aaron, David; Chan, Melissa; Nabbali, Talitha; van Dieen, Jodie  
**Cc:** MacPhee, Patricia; Blue, Amy; Blue, Amy; Hansen, David  
**Subject:** [REDACTED]

s.23

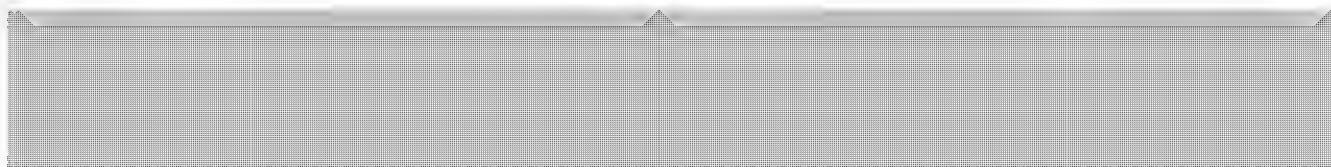
Hi David,

[REDACTED]

Doug

---

**From:** Aaron, David  
**Sent:** May 10, 2016 2:47 PM  
**To:** Chan, Melissa; Nabbali, Talitha; van Dieen, Jodie  
**Cc:** MacPhee, Patricia; Blue, Amy; Kropp, Douglas; Blue, Amy; Hansen, David  
**Subject:** [REDACTED]



**David Aaron**

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

**From:** Chan, Melissa  
**Sent:** May-10-16 2:39 PM  
**To:** Aaron, David; Nabbali, Talitha; van Dieen, Jodie  
**Cc:** MacPhee, Patricia; Blue, Amy; Kropp, Douglas; Blue, Amy; Hansen, David  
**Subject:** [REDACTED]  
**Importance:** High

s.23

Thank you.

Thanks,

Melissa

**From:** Aaron, David  
**Sent:** Tuesday, May 10, 2016 3:37 PM  
**To:** Chan, Melissa; Nabbali, Talitha; van Dieen, Jodie  
**Cc:** MacPhee, Patricia; Blue, Amy; Kropp, Douglas  
**Subject:** [REDACTED]

Thank you.

**David Aaron**

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

s.23

**From:** Chan, Melissa  
**Sent:** May-10-16 2:07 PM  
**To:** Aaron, David; Nabbali, Talitha; van Dieen, Jodie  
**Cc:** MacPhee, Patricia; Blue, Amy; Kropp, Douglas  
**Subject:**

**From:** Latham, Jane (HC/SC) [<mailto:jane.latham@canada.ca>]  
**Sent:** Tuesday, May 10, 2016 3:00 PM  
**To:** Chan, Melissa  
**Cc:** Kropp, Douglas; Blue, Amy; MacPhee, Patricia  
**Subject:**

Hi Melissa,

Jane

**From:** Chan, Melissa [mailto:[Melissa.Chan@justice.gc.ca](mailto:Melissa.Chan@justice.gc.ca)]  
**Sent:** 2016-05-10 1:53 PM  
**To:** Latham, Jane (HC/SC)  
**Cc:** Kropp, Douglas; Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]  
**Importance:** High

Hi Jane – [REDACTED]

Thank you,

Melissa

s.23

**From:** Aaron, David  
**Sent:** Tuesday, May 10, 2016 1:38 PM  
**To:** Chan, Melissa; van Dieen, Jodie; Nabbali, Talitha  
**Cc:** Kropp, Douglas; Leduc, Sandra; 'Moen, Amy (FIN)'; Fairbairn, Douglas (AADNC-AANDC); Wilson, Heather (AADNC-AANDC); 'Latham, Jane (HC/SC)'; Tarlton, Jonathan; MacPhee, Patricia; Blue, Amy; Hansen, David; Kontos, Alexis; Lovell, John  
**Subject:** [REDACTED]  
**Importance:** High

Thanks Melissa. [REDACTED]

**David Aaron**

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8

Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

**From:** Chan, Melissa  
**Sent:** May-10-16 12:16 PM  
**To:** Aaron, David; van Dieen, Jodie; Nabbali, Talitha  
**Cc:** Kropp, Douglas; Leduc, Sandra; 'Moen, Amy (FIN)'; Fairbairn, Douglas (AADNC-AANDC); Wilson, Heather (AADNC-AANDC); 'Latham, Jane (HC/SC)'; Tarlton, Jonathan; MacPhee, Patricia; Blue, Amy; Hansen, David; Kontos, Alexis; Lovell, John  
**Subject:** [REDACTED]  
**Importance:** High

s.23

Good afternoon,



Many thanks,

Melissa

**From:** Krista Robertson [<mailto:Krista.Robertson@aadnc-aandc.gc.ca>]  
**Sent:** Tuesday, May 10, 2016 12:32 PM  
**To:** Chan, Melissa  
**Cc:** Blue, Amy; Kropp, Douglas; Tarlton, Jonathan; MacPhee, Patricia  
**Subject:** [REDACTED]

s.23

Hi Melissa,



Thanks,  
Krista

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 10, 2016 2:59 PM  
**To:** 'Latham, Jane (HC/SC)'; Chan, Melissa  
**Cc:** Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

Hi Jane,

Doug

**s.23**

**From:** Latham, Jane (HC/SC) [<mailto:jane.latham@canada.ca>]  
**Sent:** May 10, 2016 2:00 PM  
**To:** Chan, Melissa  
**Cc:** Kropp, Douglas; Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

Hi Melissa,

Jane

---

**From:** Chan, Melissa [<mailto:Melissa.Chan@justice.gc.ca>]  
**Sent:** 2016-05-10 1:53 PM  
**To:** Latham, Jane (HC/SC)  
**Cc:** Kropp, Douglas; Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]  
**Importance:** High

Hi Jane –

Thank you,

Melissa

**From:** Aaron, David  
**Sent:** Tuesday, May 10, 2016 1:38 PM  
**To:** Chan, Melissa; van Dieen, Jodie; Nabbali, Talitha  
**Cc:** Kropp, Douglas; Leduc, Sandra; 'Moen, Amy (FIN)'; Fairbairn, Douglas (AADNC-AANDC); Wilson, Heather (AADNC-AANDC); 'Latham, Jane (HC/SC)'; Tarlton, Jonathan; MacPhee, Patricia; Blue, Amy; Hansen, David; Kontos, Alexis; Lovell, John  
**Subject:** [REDACTED]  
**Importance:** High

s.23

Thanks Melissa.

**David Aaron**

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

**From:** Chan, Melissa

**Sent:** May-10-16 12:16 PM

**To:** Aaron, David; van Dieen, Jodie; Nabbali, Talitha

**Cc:** Kropp, Douglas; Leduc, Sandra; 'Moen, Amy (FIN)'; Fairbairn, Douglas (AADNC-AANDC); Wilson, Heather (AADNC-AANDC); 'Latham, Jane (HC/SC)'; Tarlton, Jonathan; MacPhee, Patricia; Blue, Amy; Hansen, David; Kontos, Alexis; Lovell, John

**Subject:** [REDACTED]  
**Importance:** High

**s.23**

Good afternoon,



Many thanks,

Melissa

---

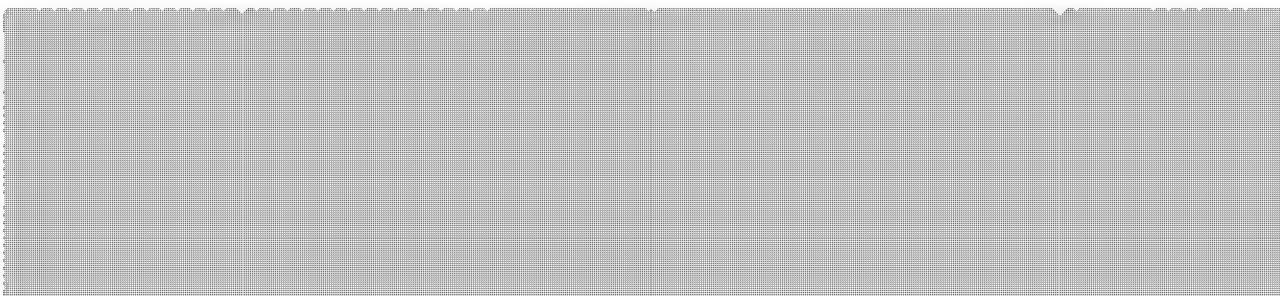
**From:** Krista Robertson [<mailto:Krista.Robertson@aadnc-aandc.gc.ca>]  
**Sent:** Tuesday, May 10, 2016 12:32 PM  
**To:** Chan, Melissa  
**Cc:** Blue, Amy; Kropp, Douglas; Tarlton, Jonathan; MacPhee, Patricia  
**Subject:** [REDACTED]

Hi Melissa,



Thanks,  
Krista

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 10, 2016 1:51 PM  
**To:** Leduc, Sandra  
**Subject:** 



Doug

**From:** Leduc, Sandra  
**Sent:** May 10, 2016 1:48 PM  
**To:** Kropp, Douglas  
**Subject:** 

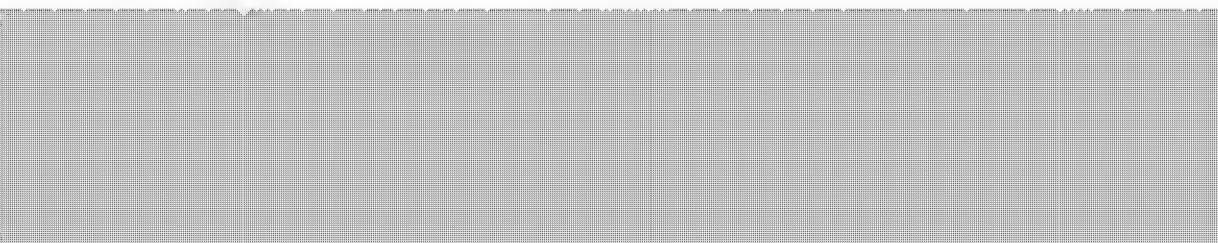
s.23

s.19(1)

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>  
**Sent:** Tuesday, May 10, 2016 1:39 PM  
**To:** Bickert, Geoffrey; McCurry, Pam  
**Cc:** Patry, Claudine; Leduc, Sandra; Filion, Marie-Claude; Aaron, David; Garskey, Adam  
**Subject:** 

A large rectangular area of the document has been completely redacted with a solid gray color, obscuring several lines of text.  
Alexia Taschereau

Chief of Staff- Senior Counsel / Chef de Cabinet -Avocate Conseil  
Office of the Associate Deputy Minister / Bureau du sous-ministre délégué  
Department of Justice Canada / Ministère de la Justice Canada  
284 Wellington Street, Room 4175 / 284 rue Wellington, pièce 4175  
Ottawa, Ontario K1A 0H8  
tel.- tél (613) 957-3270

Gouvernement of Canada - Gouvernement du Canada

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**From:** Aaron, David  
**Sent:** Tuesday, May 10, 2016 12:45 PM  
**To:** Garskey, Adam  
**Cc:** Bickert, Geoffrey; \* NLS ADAGO; Taschereau, Alexia; Patry, Claudine; Leduc, Sandra; Filion, Marie-Claude  
**Subject:** [REDACTED]  
**Importance:** High

s.23

Adam,

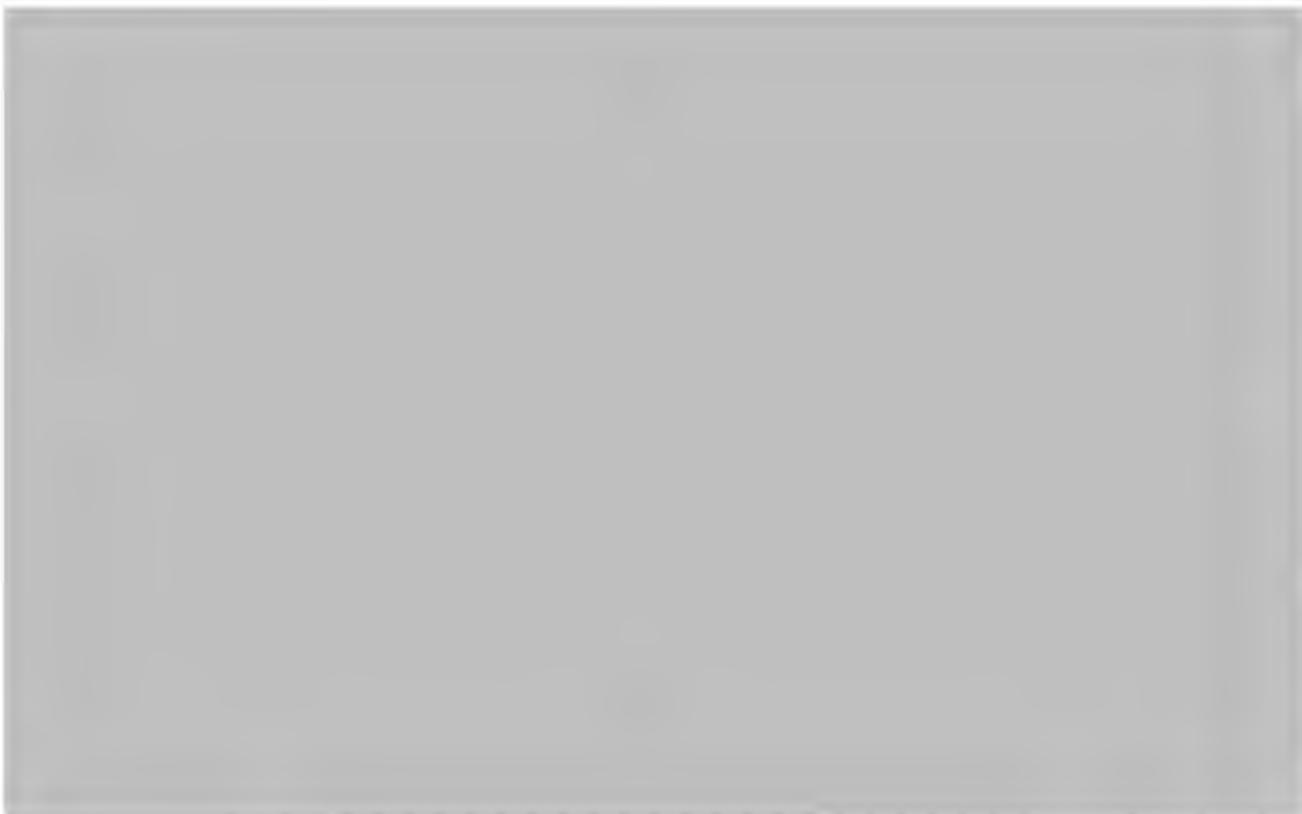
[REDACTED]

David

s.23

**From:** Chan, Melissa  
**Sent:** May-10-16 12:16 PM  
**To:** Aaron, David; van Dieen, Jodie; Nabbali, Talitha  
**Cc:** Kropp, Douglas; Leduc, Sandra; 'Moen, Amy (FIN)'; Fairbairn, Douglas (AADNC-AANDC); Wilson, Heather (AADNC-AANDC); 'Latham, Jane (HC/SC)'; Tarlton, Jonathan; MacPhee, Patricia; Blue, Amy; Hansen, David; Kontos, Alexis; Lovell, John  
**Subject:** [REDACTED]  
**Importance:** High

Good afternoon,

A large, solid gray rectangular area occupies the central portion of the page, indicating a significant portion of the email content has been redacted.

Many thanks,

Melissa

**From:** Krista Robertson [mailto:[Krista.Robertson@aadnc-aandc.gc.ca](mailto:Krista.Robertson@aadnc-aandc.gc.ca)]  
**Sent:** Tuesday, May 10, 2016 12:32 PM  
**To:** Chan, Melissa  
**Cc:** Blue, Amy; Kropp, Douglas; Tarlton, Jonathan; MacPhee, Patricia  
**Subject:** [REDACTED]

**s.23**

Hi Melissa,

Thanks,  
Krista

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 10, 2016 3:07 PM  
**To:** 'Latham, Jane (HC/SC)'; Chan, Melissa  
**Cc:** Blue, Amy; MacPhee, Patricia; Filion, Marie-Claude  
**Subject:** [REDACTED]

Super. Thanks Jane.

Doug

---

**From:** Latham, Jane (HC/SC) [mailto:[jane.latham@canada.ca](mailto:jane.latham@canada.ca)]  
**Sent:** May 10, 2016 3:02 PM  
**To:** Kropp, Douglas; Chan, Melissa  
**Cc:** Blue, Amy; MacPhee, Patricia; Filion, Marie-Claude  
**Subject:** [REDACTED]

[REDACTED]

s.23

**From:** Kropp, Douglas [mailto:[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)]  
**Sent:** 2016-05-10 2:59 PM  
**To:** Latham, Jane (HC/SC); Chan, Melissa  
**Cc:** Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

Hi Jane,

[REDACTED]

Doug

**From:** Latham, Jane (HC/SC) [<mailto:jane.latham@canada.ca>]  
**Sent:** May 10, 2016 2:00 PM  
**To:** Chan, Melissa  
**Cc:** Kropp, Douglas; Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

Hi Melissa,

[REDACTED]

Jane

**s.23**

**From:** Chan, Melissa [<mailto:Melissa.Chan@justice.gc.ca>]  
**Sent:** 2016-05-10 1:53 PM  
**To:** Latham, Jane (HC/SC)  
**Cc:** Kropp, Douglas; Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]  
**Importance:** High

Hi Jane –

Thank you,

Melissa

**From:** Aaron, David  
**Sent:** Tuesday, May 10, 2016 1:38 PM  
**To:** Chan, Melissa; van Dieen, Jodie; Nabbali, Talitha  
**Cc:** Kropp, Douglas; Leduc, Sandra; 'Moen, Amy (FIN)'; Fairbairn, Douglas (AADNC-AANDC); Wilson, Heather (AADNC-AANDC); 'Latham, Jane (HC/SC)'; Tarlton, Jonathan; MacPhee, Patricia; Blue, Amy; Hansen, David; Kontos, Alexis; Lovell, John  
**Subject:** [REDACTED]  
**Importance:** High

Thanks Melissa.

**David Aaron**

Special Advisor and Counsel | Conseiller spécial et avocat

Department of Justice Canada | Ministère de la Justice Canada

Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint

National Litigation Sector | Secteur national du contentieux

Government of Canada | Gouvernement Canada

50 O'Connor Street | 50, rue O'Connor

Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage

Ottawa, Ontario K1A 0H8

Tel: (613) 670-6219 / Fax: (613) 954-1920

[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

**From:** Chan, Melissa

**Sent:** May-10-16 12:16 PM

**s.23**

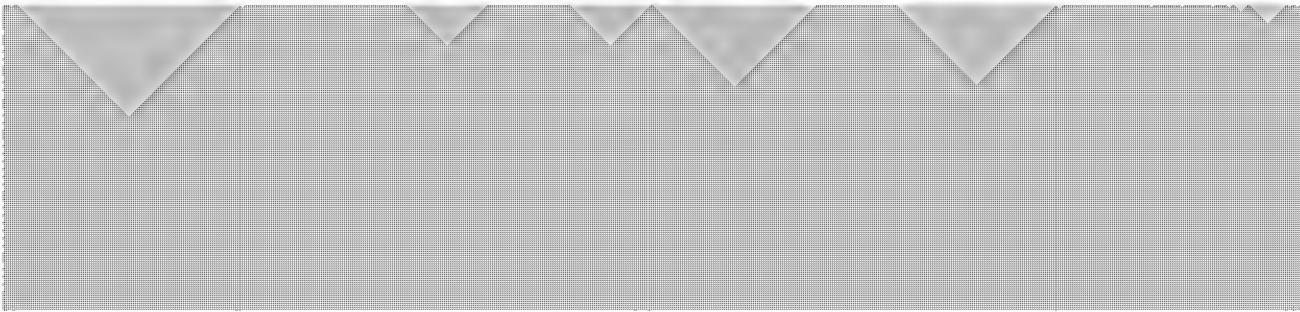
**To:** Aaron, David; van Dieen, Jodie; Nabbali, Talitha

**Cc:** Kropp, Douglas; Leduc, Sandra; 'Moen, Amy (FIN)'; Fairbairn, Douglas (AADNC-AANDC); Wilson, Heather (AADNC-AANDC); 'Latham, Jane (HC/SC)'; Tarlton, Jonathan; MacPhee, Patricia; Blue, Amy; Hansen, David; Kontos, Alexis; Lovell, John

**Subject:** [REDACTED]

**Importance:** High

Good afternoon,



Many thanks,

Melissa

**From:** Krista Robertson [<mailto:Krista.Robertson@aadnc-aandc.gc.ca>]

**Sent:** Tuesday, May 10, 2016 12:32 PM

**s.23**

**To:** Chan, Melissa

**Cc:** Blue, Amy; Kropp, Douglas; Tarlton, Jonathan; MacPhee, Patricia

**Subject:**



Hi Melissa,

Thanks,  
Krista

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 10, 2016 11:31 AM  
**To:** Chan, Melissa  
**Cc:** Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

Sounds good.

**From:** Chan, Melissa  
**Sent:** May 10, 2016 11:21 AM  
**To:** Kropp, Douglas  
**Cc:** Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

Great – thanks Doug.

[REDACTED]

M

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 10, 2016 12:13 PM  
**To:** Chan, Melissa  
**Cc:** Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

s.23

Hi Melissa,

[REDACTED]

Thanks,

Doug

**From:** Chan, Melissa  
**Sent:** May 10, 2016 10:06 AM  
**To:** Kropp, Douglas  
**Cc:** Blue, Amy; MacPhee, Patricia  
**Subject:** [REDACTED]

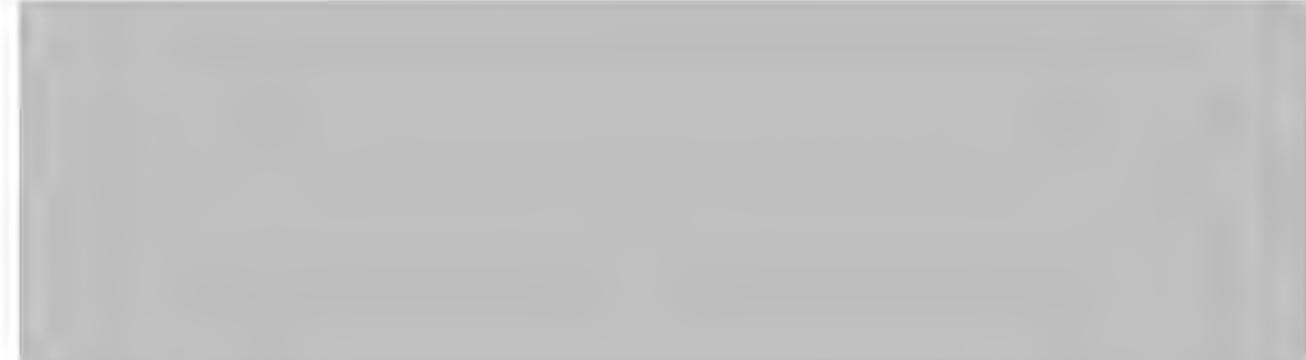


M

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 10, 2016 10:57 AM  
**To:** Chan, Melissa  
**Subject:** [REDACTED]

**s.23**

Hi Melissa,

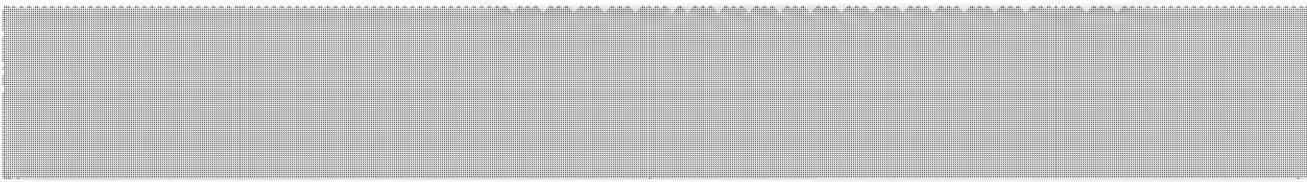


Doug

Sent from my BlackBerry 10 smartphone on the Rogers network.

**From:** Chan, Melissa  
**Sent:** Tuesday, May 10, 2016 9:15 AM  
**To:** Kropp, Douglas  
**Cc:** Blue, Amy; MacPhee, Patricia; Tarlton, Jonathan  
**Subject:** [REDACTED]

Hi Doug,



Melissa

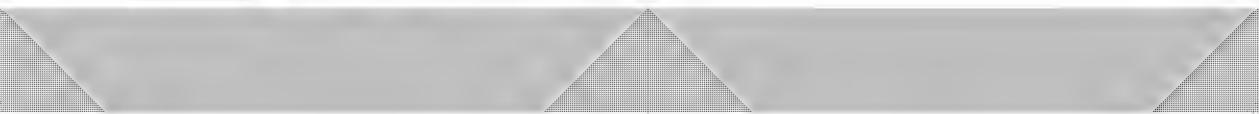
**From:** Krista Robertson [mailto:[Krista.Robertson@aadnc-aandc.gc.ca](mailto:Krista.Robertson@aadnc-aandc.gc.ca)]

**s.23**

**Sent:** Tuesday, May 10, 2016 10:05 AM

**To:** Chan, Melissa

**Subject:** [REDACTED]



Sent from my BlackBerry 10 smartphone on the Rogers network.

**From:** Cassandra Lang <[Cassandra.Lang@aadnc-aandc.gc.ca](mailto:Cassandra.Lang@aadnc-aandc.gc.ca)>

**Sent:** Tuesday, May 10, 2016 1:05 AM

**To:** Krista Robertson

**Cc:** Barbara Curran; Jonathan Riou

**Subject:** [REDACTED]

Hi Krista,



Thanks,

Cassandra

**Page 185**  
**is withheld pursuant to section**  
**est retenue en vertu de l'article**

**69(1)(g) re (a)**

**of the Access to Information Act**  
**de la Loi sur l'accès à l'information**

**From:** Kropp, Douglas  
**Sent:** Tuesday, May 17, 2016 12:24 PM  
**To:** Wilson, Heather (AADNC-AANDC)  
**Subject:** [REDACTED]

[REDACTED]

s.23

**From:** Heather Wilson [mailto:[Heather.Wilson@aadnc-aadnc.gc.ca](mailto:Heather.Wilson@aadnc-aadnc.gc.ca)]  
**Sent:** May 17, 2016 12:01 PM  
**To:** Kropp, Douglas  
**Subject:** [REDACTED]

[REDACTED]

>>> "Kropp, Douglas" <[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)> 17/05/2016 11:50 AM >>>

[REDACTED] Thanks Jane. Thanks Heather.

ýDoug

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Heather Wilson  
Sent: Tuesday, May 17, 2016 11:35 AM  
To: Jane (HC/SC) 'Latham; Kropp, Douglas; Chan, Melissa  
Cc: Fairbairn, Douglas (AADNC-AANDC); Tara (HC/SC) Roulston; Blue, Amy; Tarlton, Jonathan; MacPhee, Patricia  
Subject: [REDACTED]

[REDACTED]

Heather

>>> "Kropp, Douglas" <[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)> 17/05/2016 11:02 AM >>>

Doug

**From:** Chan, Melissa  
**Sent:** May 17, 2016 10:55 AM  
**To:** 'Latham, Jane (HC/SC)'; Wilson, Heather (AADNC-AANDC); Kropp, Douglas  
**Cc:** Fairbairn, Douglas (AADNC-AANDC); Roulston, Tara (HC/SC); MacPhee, Patricia; Blue, Amy; Tarlton, Jonathan  
**Subject:** [REDACTED]

**From:** Latham, Jane (HC/SC) [<mailto:jane.latham@canada.ca>]  
**Sent:** Tuesday, May 17, 2016 11:44 AM  
**To:** Wilson, Heather (AADNC-AANDC); Kropp, Douglas; Chan, Melissa  
**Cc:** Fairbairn, Douglas (AADNC-AANDC); Roulston, Tara (HC/SC)  
**Subject:** [REDACTED]

**s.23**

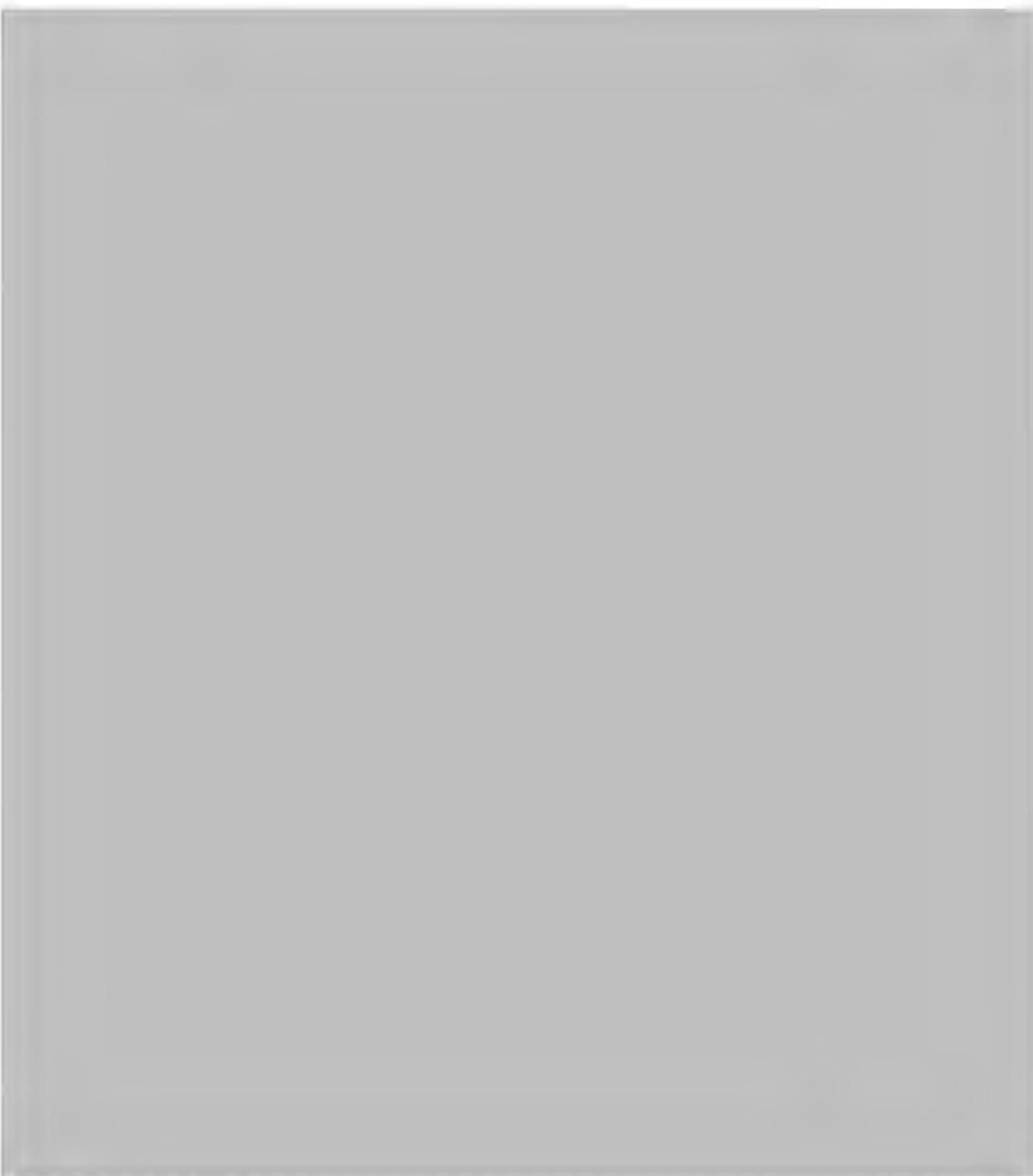
jane

**From:** Heather Wilson [<mailto:Heather.Wilson@aadnc-aadnc.gc.ca>]  
**Sent:** 2016-05-17 8:11 AM  
**To:** Latham, Jane (HC/SC); [Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca) <<mailto:Douglas.Kropp@justice.gc.ca>>; Melissa

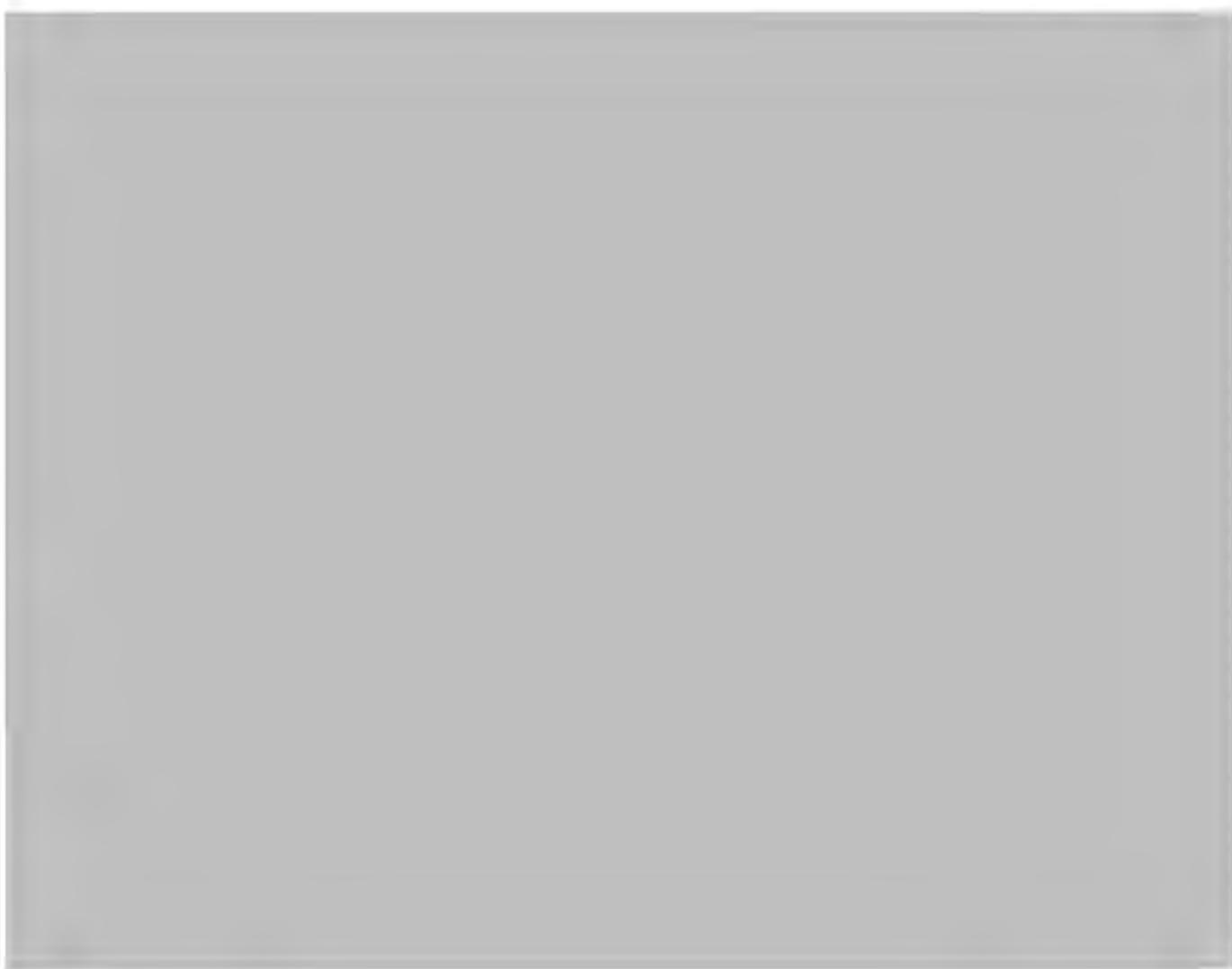
Chan  
Cc: Fairbairn, Douglas (AANDC/AADNC)  
Subject: [REDACTED]

**s.23**

Good morning,



s 23



Thank you very much,

Heather

Heather Wilson  
Legal Counsel  
Department of Justice, DIAND Legal Services  
Operations & Programs Section  
10 Wellington Street - 10th Floor  
Gatineau, Quebec K1A 0H4  
Tel: 819-956-3810

[heather.wilson@aadnc-aindc.gc.ca](mailto:heather.wilson@aadnc-aindc.gc.ca) <mailto:heather.wilson@aadnc-aindc.gc.ca>

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\*\*\*\*\*

\*\*\*\*\*

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recevez ce courriel par erreur, veuillez le supprimer immédiatement et envoyer sans délai à l'expéditeur un message électronique pour l'aviser que vous avez éliminé de votre ordinateur toute copie du courriel reçu.

\*\*\*\*\*

**From:** Kropp, Douglas  
**Sent:** Wednesday, May 18, 2016 11:42 PM  
**To:** McCurry, Pam; Clark, Caroline  
**Cc:** Leduc, Sandra  
**Subject:** [REDACTED]

Hi Pam,

[REDACTED]

Doug

-----Original Message-----

**From:** McCurry, Pam  
**Sent:** Wednesday, May 18, 2016 9:20 PM  
**To:** Clark, Caroline <[Caroline.Clark@justice.gc.ca](mailto:Caroline.Clark@justice.gc.ca)>; Kropp, Douglas <[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)>  
**Cc:** Leduc, Sandra <[Sandra.Leduc@justice.gc.ca](mailto:Sandra.Leduc@justice.gc.ca)>  
**Subject:** [REDACTED]

Caroline and Doug,

[REDACTED]

Pam

s.23

Sent from my BlackBerry 10 smartphone on the Rogers network.

Original Message

[REDACTED]

**Pages 193 to / à 194  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**23**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**From:** Kropp, Douglas  
**Sent:** Wednesday, May 18, 2016 1:28 PM  
**To:** Wilson, Heather (AADNC-AANDC)  
**Subject:** [REDACTED]

Beautifully done!

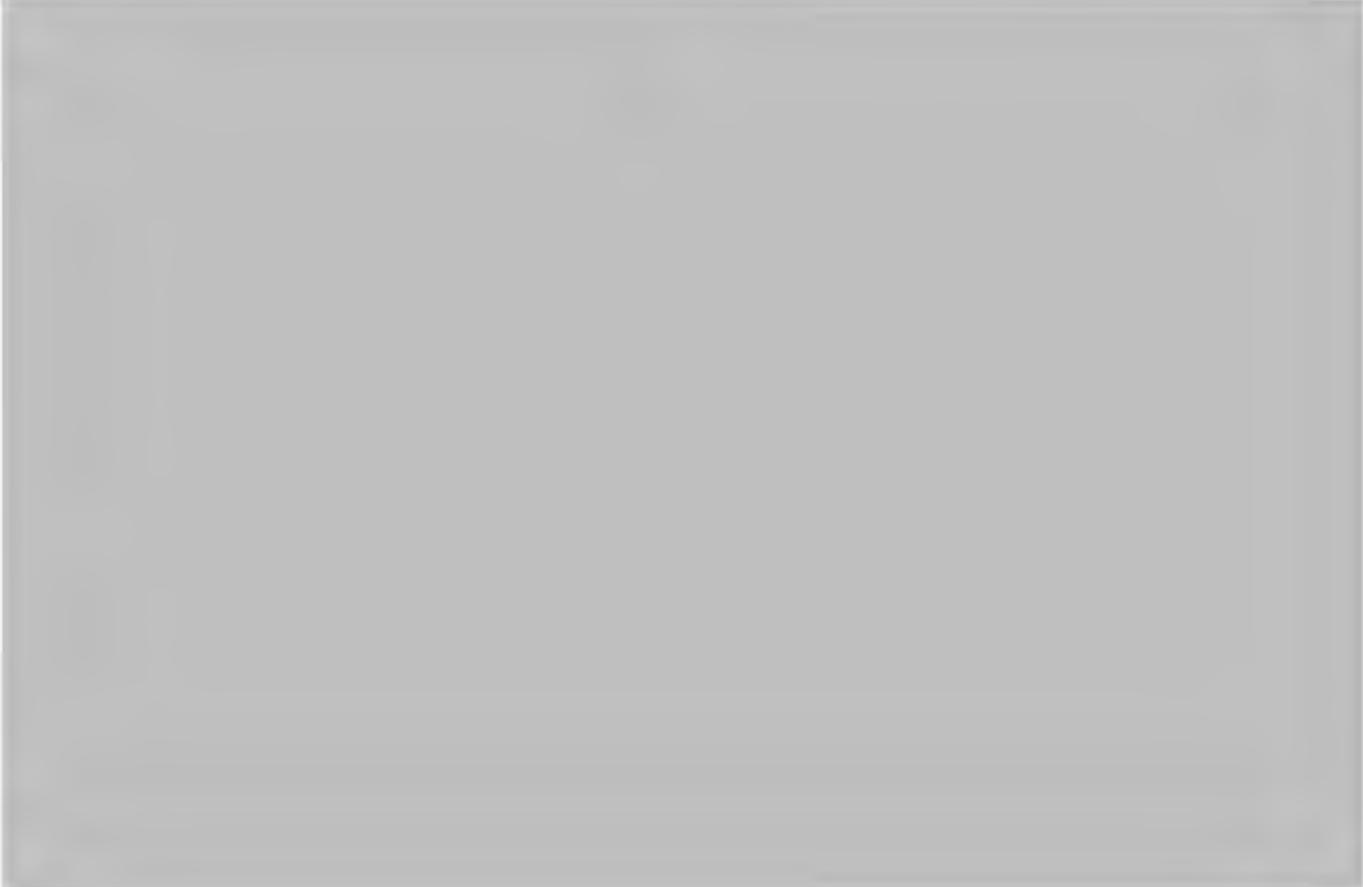
Doug

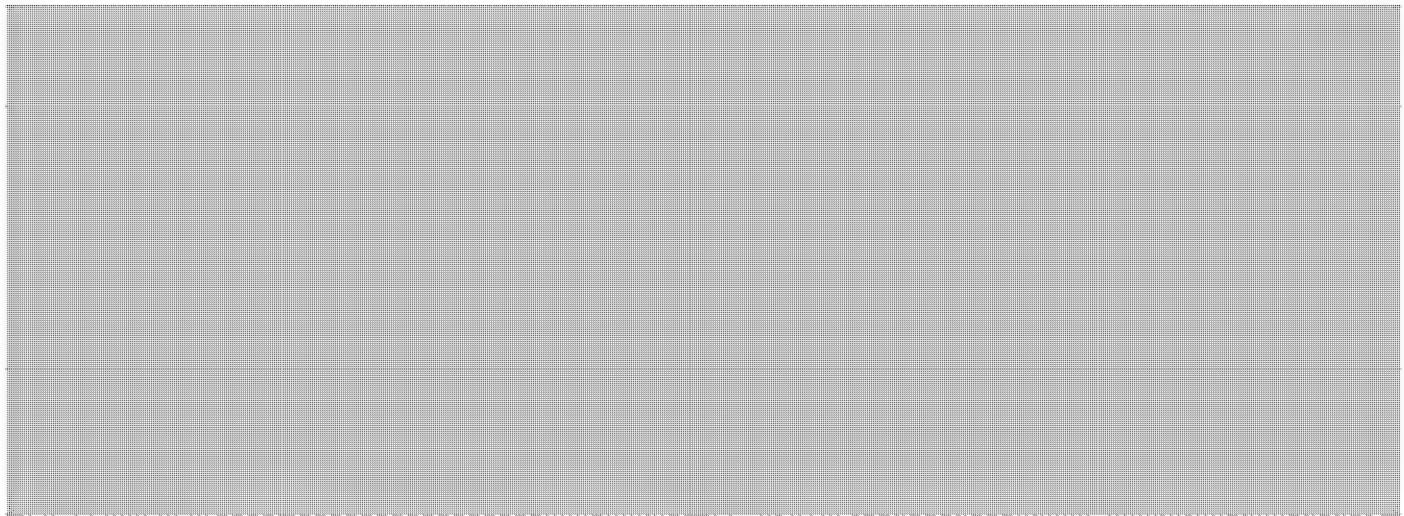
Sent from my BlackBerry 10 smartphone on the Rogers network.

s.23

**From:** Heather Wilson  
**Sent:** Wednesday, May 18, 2016 1:22 PM  
**To:** Tzemenakis, Gregory  
**Cc:** Stuhec, Ana (AADNC-AANDC); Fairbairn, Douglas (AADNC-AANDC); Reiher, Martin (AADNC-AANDC); Latham, Jane (HC); Zagorska, Agnieszka; Kropp, Douglas; Chan, Melissa  
**Subject:** [REDACTED]

Hi Greg,





Regards,  
Heather

**s.23**

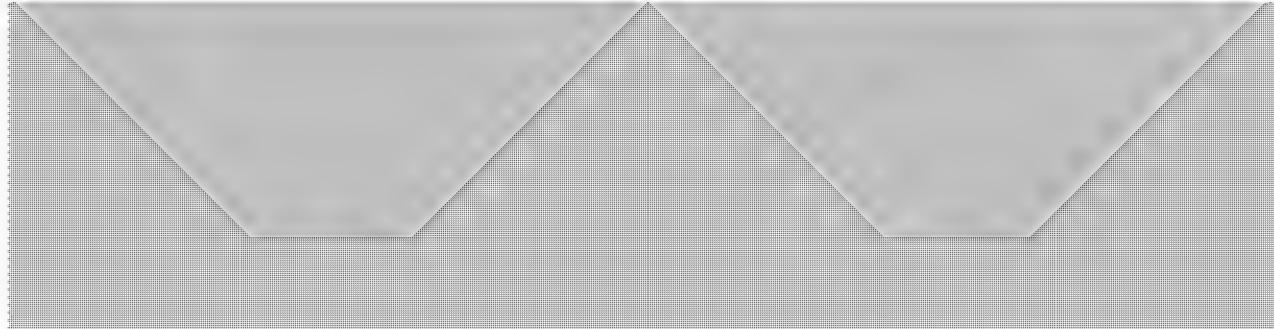
**Heather Wilson**  
Legal Counsel  
Department of Justice, DIAND Legal Services  
Operations & Programs Section  
10 Wellington Street - 10th Floor  
Gatineau, Quebec K1A 0H4  
Tel: 819-956-3810  
[heather.wilson@aadnc-aadnc.gc.ca](mailto:heather.wilson@aadnc-aadnc.gc.ca)

>>> "Tzemenakis, Gregory" <[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)> 18/05/2016 12:42 PM >>>

From: Heather Wilson [mailto:[Heather.Wilson@aadnc-aadnc.gc.ca](mailto:Heather.Wilson@aadnc-aadnc.gc.ca)]  
Sent: Wednesday, May 18, 2016 12:29 PM  
To: Tzemenakis, Gregory <[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)>  
Subject:

Hi Greg -

>>> "Tzemenakis, Gregory"  
<[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)<mailto:[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)>> 18/05/2016 12:26 PM  
>>>



From: Heather Wilson [mailto:Heather.Wilson@aandc-aadnc.gc.ca]  
Sent: Wednesday, May 18, 2016 12:04 PM  
To: Stuhec, Ana (AADNC-AANDC) <ana.stuhec@aandc-aadnc.gc.ca<mailto:ana.stuhec@aandc-aadnc.gc.ca>>; Fairbairn, Douglas (AADNC-AANDC) <Douglas.Fairbairn@aandc-aadnc.gc.ca<mailto:Douglas.Fairbairn@aandc-aadnc.gc.ca>>; Reiher, Martin (AADNC-AANDC) <martin.reiher@aandc-aadnc.gc.ca<mailto:martin.reiher@aandc-aadnc.gc.ca>>; Latham, Jane (HC) <jane.latham@hc-sc.gc.ca<mailto:jane.latham@hc-sc.gc.ca>>; Kropp, Douglas <Douglas.Kropp@justice.gc.ca<mailto:Douglas.Kropp@justice.gc.ca>>; Tzemenakis, Gregory <Gregory.Tzemenakis@justice.gc.ca<mailto:Gregory.Tzemenakis@justice.gc.ca>>  
Cc: Zagorska, Agnieszka <Agnieszka.Zagorska@justice.gc.ca<mailto:Agnieszka.Zagorska@justice.gc.ca>>  
Subject: [REDACTED]

Hi Greg,

Thanks,  
Heather

s.23

>>> "Tzemenakis, Gregory"  
<Gregory.Tzemenakis@justice.gc.ca<mailto:Gregory.Tzemenakis@justice.gc.ca<mailto:Gregory.Tzemenakis@justice.gc.ca%3cmailto:Gregory.Tzemenakis@justice.gc.ca>>> 18/05/2016 12:00 PM >>>

From: Heather Wilson [mailto:Heather.Wilson@aandc-aadnc.gc.ca]  
Sent: Tuesday, May 17, 2016 1:12 PM  
To: Stuhec, Ana (AADNC-AANDC) <ana.stuhec@aandc-aadnc.gc.ca<mailto:ana.stuhec@aandc-aadnc.gc.ca>>; Fairbairn, Douglas (AADNC-AANDC) <Douglas.Fairbairn@aandc-aadnc.gc.ca<mailto:Douglas.Fairbairn@aandc-aadnc.gc.ca>>; Reiher, Martin (AADNC-AANDC) <martin.reiher@aandc-aadnc.gc.ca<mailto:martin.reiher@aandc-aadnc.gc.ca>>;

Latham, Jane (HC) <jane.latham@hc-sc.gc.ca<mailto:jane.latham@hc-sc.gc.ca<mailto:jane.latham@hc-sc.gc.ca%3cmailto:jane.latham@hc-sc.gc.ca>>; Kropp, Douglas <Douglas.Kropp@justice.gc.ca<mailto:Douglas.Kropp@justice.gc.ca<mailto:Douglas.Kropp@justice.gc.ca%3cmailto:Douglas.Kropp@justice.gc.ca>>; Tzemenakis, Gregory <Gregory.Tzemenakis@justice.gc.ca<mailto:Gregory.Tzemenakis@justice.gc.ca<mailto:Gregory.Tzemenakis@justice.gc.ca%3cmailto:Gregory.Tzemenakis@justice.gc.ca>>  
Subject: [REDACTED]

Hi Greg.

5.23

Regards,

Heather

aandc.gc.ca%3cmailto:heather.wilson@aadnc-aandc.gc.ca%3cmailto:heather.wilson@aadnc-aandc.gc.ca>>>

\*\*\*\*\*

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error please delete it immediately from your system and notify the sender promptly by email that you have done so.

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\*\*\*\*\*

**From:** Kropp, Douglas  
**Sent:** Wednesday, May 18, 2016 9:10 AM  
**To:** Wilson, Heather (AADNC-AANDC)  
**Subject:** [REDACTED]

Hi,

Doug

Sent from my BlackBerry 10 smartphone on the Rogers network.

Original Message

From: Heather Wilson s.23  
Sent: Tuesday, May 17, 2016 8:55 PM  
To: Stuhec, Ana (AADNC-AANDC); Fairbairn, Douglas (AADNC-AANDC); Reiher, Martin (AADNC-AANDC); Latham, Jane (HC); Kropp, Douglas; Tzemenakis, Gregory  
Cc: Zagorska, Agnieszka  
Subject: [REDACTED]

Hi Greg,

Thanks,  
Heather

Sent from my BlackBerry 10 smartphone on the Rogers network.

Original Message

From: Tzemenakis, Gregory  
Sent: Tuesday, May 17, 2016 6:55 PM  
To: Douglas Fairbairn; Martin Reiher; Ana Stuhec; Heather Wilson; Jane (HC) Latham; Douglas Kropp  
Cc: Agnieszka Zagorska  
Subject: [REDACTED]

Hi Heather,

GST

From: Heather Wilson [mailto:Heather.Wilson@aandc-aadnc.gc.ca]  
Sent: Tuesday, May 17, 2016 1:12 PM  
To: Stuhec, Ana (AADNC-AANDC) <ana.stuhec@aadnc-aandc.gc.ca>; Fairbairn, Douglas (AADNC-AANDC) <Douglas.Fairbairn@aadnc-aandc.gc.ca>; Reiher, Martin (AADNC-AANDC) <martin.reiher@aadnc-aandc.gc.ca>; Latham, Jane (HC) <jane.latham@hc-sc.gc.ca>; Kropp, Douglas <Douglas.Kropp@justice.gc.ca>; Tzemenakis, Gregory <Gregory.Tzemenakis@justice.gc.ca>  
Subject: [REDACTED]

Hi Greg,

s.23

Regards,

Heather

Heather Wilson  
Legal Counsel  
Department of Justice, DIAND Legal Services Operations & Programs Section  
10 Wellington Street - 10th Floor

Gatineau, Quebec K1A 0H4

Tel: 819-956-3810

heather.wilson@aadnc-aandc.gc.ca<mailto:heather.wilson@aadnc-aandc.gc.ca>

\*\*\*\*\*

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\*\*\*\*\*

\*\*\*\*\*  
\*\*\*\*\*

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\*\*\*\*\*  
\*\*\*\*\*

**From:** Kropp, Douglas  
**Sent:** Wednesday, May 18, 2016 4:35 PM  
**To:** Wilson, Heather (AADNC-AANDC)  
**Subject:** [REDACTED]

Heather,

s.23

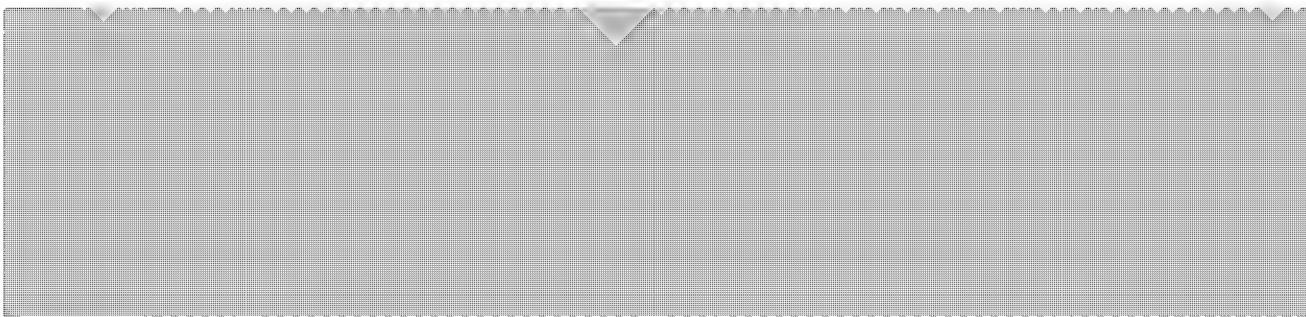
**From:** Heather Wilson [mailto:[Heather.Wilson@aandc-aandc.gc.ca](mailto:Heather.Wilson@aandc-aandc.gc.ca)]  
**Sent:** May 18, 2016 3:54 PM  
**To:** Tzemenakis, Gregory  
**Cc:** Stuhec, Ana (AADNC-AANDC); Fairbairn, Douglas (AADNC-AANDC); Reiher, Martin (AADNC-AANDC); Latham, Jane (HC); Zagorska, Agnieszka; Kropf, Douglas; Chan, Melissa  
**Subject:** [REDACTED]

>>> "Tzemenakis, Gregory" <[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)> 18/05/2016 3:42 PM >>>

Sent from my BlackBerry 10 smartphone on the Rogers network.

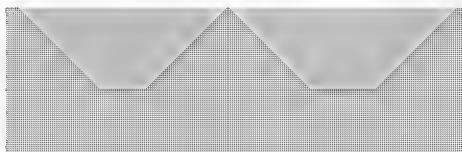
From: Heather Wilson  
Sent: Wednesday, May 18, 2016 3:39 PM  
To: Tzemenakis, Gregory  
Cc: Stuhec, Ana (AADNC-AANDC); Fairbairn, Douglas (AADNC-AANDC); Reiher, Martin (AADNC-AANDC); Latham, Jane (HC); Zagorska, Agnieszka; Kropf, Douglas; Chan, Melissa  
Subject: Re: Jordan's Principle - Wording for Joint Slate

Hi Greg,

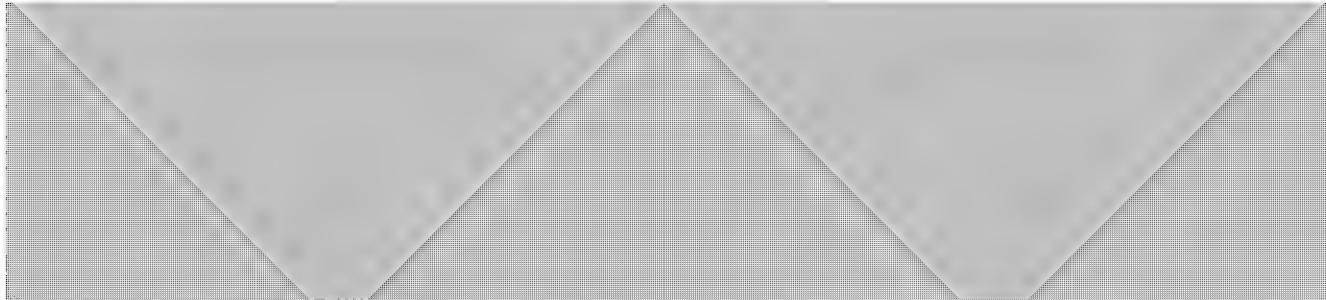


Heather

>>> "Tzemenakis, Gregory" <[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)> 18/05/2016 3:14 PM >>>  
Hi Heather,



s.23



Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Heather Wilson

Sent: Wednesday, May 18, 2016 1:22 PM

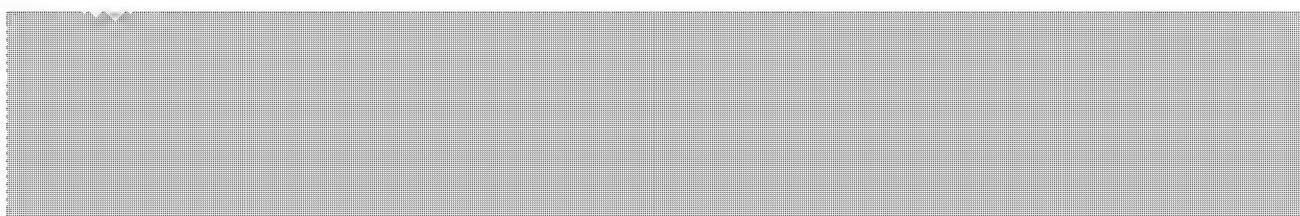
To: Tzemenakis, Gregory

Cc: Stuhec, Ana (AADNC-AANDC); Fairbairn, Douglas (AADNC-AANDC); Reiher, Martin (AADNC-AANDC);

Latham, Jane (HC); Zagorska, Agnieszka; Kropp, Douglas; Chan, Melissa

Subject: [REDACTED]

Hi Greg,



s.23



Regards,  
Heather

Heather Wilson  
Legal Counsel  
Department of Justice, DIAND Legal Services  
Operations & Programs Section  
10 Wellington Street - 10th Floor  
Gatineau, Quebec K1A 0H4  
Tel: 819-956-3810  
[heather.wilson@aadnc-aandc.gc.ca](mailto:heather.wilson@aadnc-aandc.gc.ca) <mailto:heather.wilson@aadnc-aandc.gc.ca>

>>> "Tzemenakis, Gregory" <[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)> 18/05/2016 12:42 PM >>>

From: Heather Wilson [mailto:[Heather.Wilson@aandc-aadnc.gc.ca](mailto:Heather.Wilson@aandc-aadnc.gc.ca)]  
Sent: Wednesday, May 18, 2016 12:29 PM  
To: Tzemenakis, Gregory <[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)>  
Subject: RE: Jordan's Principle - Wording for Joint Slate

Hi Greg -

s.23

>>> "Tzemenakis, Gregory"  
<[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)<mailto:[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)>> 18/05/2016 12:26 PM  
>>>

From: Heather Wilson [mailto:[Heather.Wilson@aandc-aadnc.gc.ca](mailto:Heather.Wilson@aandc-aadnc.gc.ca)]  
Sent: Wednesday, May 18, 2016 12:04 PM  
To: Stuhec, Ana (AADNC-AANDC) <[ana.stuhec@aandc-aadnc.gc.ca](mailto:ana.stuhec@aandc-aadnc.gc.ca)<mailto:[ana.stuhec@aandc-aadnc.gc.ca](mailto:ana.stuhec@aandc-aadnc.gc.ca)>>; Fairbairn, Douglas (AADNC-AANDC) <[Douglas.Fairbairn@aandc-aadnc.gc.ca](mailto:Douglas.Fairbairn@aandc-aadnc.gc.ca)<mailto:[Douglas.Fairbairn@aandc-aadnc.gc.ca](mailto:Douglas.Fairbairn@aandc-aadnc.gc.ca)>>; Reiher, Martin (AADNC-AANDC) <[martin.reiher@aandc-aadnc.gc.ca](mailto:martin.reiher@aandc-aadnc.gc.ca)<mailto:[martin.reiher@aandc-aadnc.gc.ca](mailto:martin.reiher@aandc-aadnc.gc.ca)>>; Latham, Jane (HC) <[jane.latham@hc-sc.gc.ca](mailto:jane.latham@hc-sc.gc.ca)<mailto:[jane.latham@hc-sc.gc.ca](mailto:jane.latham@hc-sc.gc.ca)>>; Kropp, Douglas <[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)<mailto:[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)>>; Tzemenakis, Gregory <[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)<mailto:[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)>>  
Cc: Zagorska, Agnieszka <[Agnieszka.Zagorska@justice.gc.ca](mailto:Agnieszka.Zagorska@justice.gc.ca)<mailto:[Agnieszka.Zagorska@justice.gc.ca](mailto:Agnieszka.Zagorska@justice.gc.ca)>>  
Subject:

Hi Greg,

Thanks,  
Heather

>>> "Tzemenakis, Gregory"  
<[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)<mailto:[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)<mailto:[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)>>> 18/05/2016 12:00 PM >>>

**From:** Heather Wilson [mailto:[Heather.Wilson@aadnc-aadnc.gc.ca](mailto:Heather.Wilson@aadnc-aadnc.gc.ca)]

**s.23**

**Sent:** Tuesday, May 17, 2016 1:12 PM

**To:** Stuhec, Ana (AADNC-AANDC) <[ana.stuhec@aadnc-aadnc.gc.ca](mailto:ana.stuhec@aadnc-aadnc.gc.ca)<mailto:[ana.stuhec@aadnc-aadnc.gc.ca](mailto:ana.stuhec@aadnc-aadnc.gc.ca)>>>;

Fairbairn, Douglas (AADNC-AANDC) <[Douglas.Fairbairn@aadnc-aadnc.gc.ca](mailto:Douglas.Fairbairn@aadnc-aadnc.gc.ca)<mailto:[Douglas.Fairbairn@aadnc-aadnc.gc.ca](mailto:Douglas.Fairbairn@aadnc-aadnc.gc.ca)>>>; mailto:[Douglas.Fairbairn@aadnc-aadnc.gc.ca](mailto:Douglas.Fairbairn@aadnc-aadnc.gc.ca)>>>; Reiher, Martin (AADNC-AANDC)

<[martin.reiher@aadnc-aadnc.gc.ca](mailto:martin.reiher@aadnc-aadnc.gc.ca)<mailto:[martin.reiher@aadnc-aadnc.gc.ca](mailto:martin.reiher@aadnc-aadnc.gc.ca)>>>;

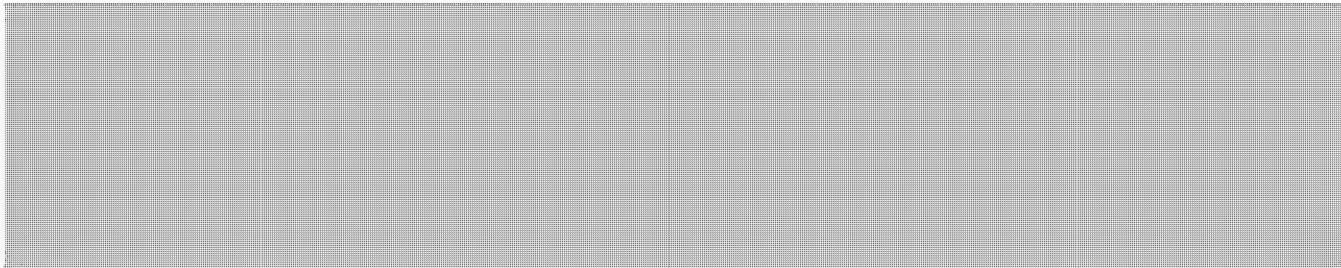
mailto:[martin.reiher@aadnc-aadnc.gc.ca](mailto:martin.reiher@aadnc-aadnc.gc.ca)>>>; Latham, Jane (HC) <[jane.latham@hc-sc.gc.ca](mailto:jane.latham@hc-sc.gc.ca)<mailto:[jane.latham@hc-sc.gc.ca](mailto:jane.latham@hc-sc.gc.ca)<mailto:[jane.latham@hc-sc.gc.ca](mailto:jane.latham@hc-sc.gc.ca)>>>;

Kropp, Douglas <[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)<mailto:[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)>>>; Tzemenakis, Gregory

<[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)<mailto:[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)<mailto:[Gregory.Tzemenakis@justice.gc.ca](mailto:Gregory.Tzemenakis@justice.gc.ca)>>>

**Subject:**

Hi Greg,



Regards,

Heather

**s.23**

Heather Wilson  
Legal Counsel  
Department of Justice, DIAND Legal Services  
Operations & Programs Section  
10 Wellington Street - 10th Floor  
Gatineau, Quebec K1A 0H4  
Tel: 819-956-3810

[heather.wilson@aadnc-aandc.gc.ca](mailto:heather.wilson@aadnc-aandc.gc.ca) <mailto:heather.wilson@aadnc-aandc.gc.ca><mailto:heather.wilson@aadnc-aandc.gc.ca><mailto:heather.wilson@aadnc-aandc.gc.ca><mailto:heather.wilson@aadnc-aandc.gc.ca><mailto:heather.wilson@aadnc-aandc.gc.ca><mailto:heather.wilson@aadnc-aandc.gc.ca>>>

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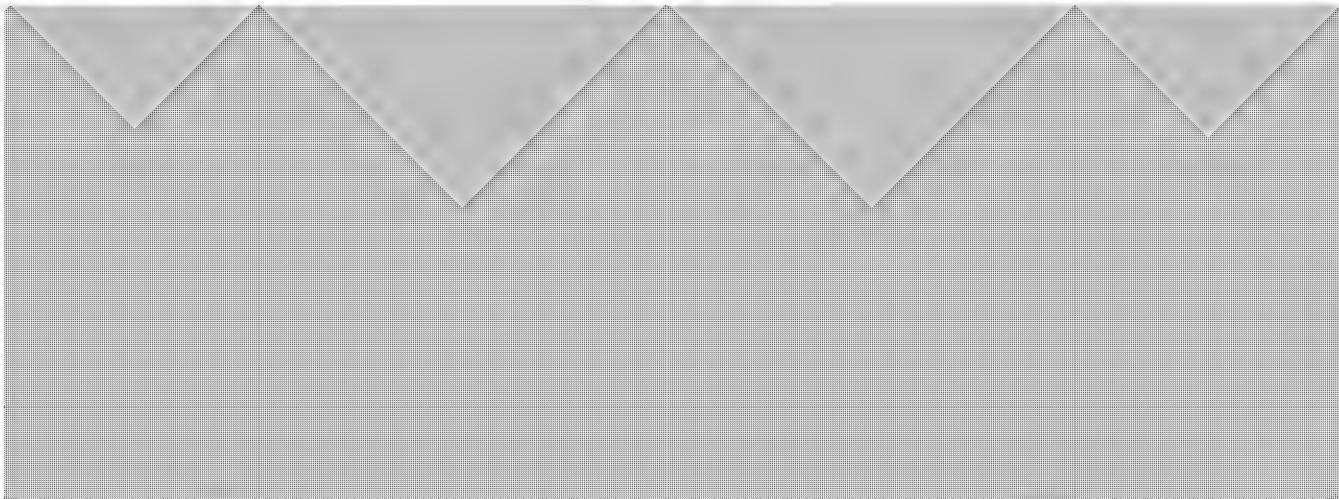
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\*\*\*\*\*

**From:** Kropp, Douglas  
**Sent:** Thursday, May 19, 2016 5:17 PM  
**To:** 'Latham, Jane (HC/SC)'  
**Subject:** [REDACTED]

s.23



Doug

-----Original Message-----

From: Latham, Jane (HC/SC) [mailto:jane.latham@canada.ca]  
Sent: May 19, 2016 4:53 PM  
To: Kropp, Douglas  
Subject: [REDACTED]

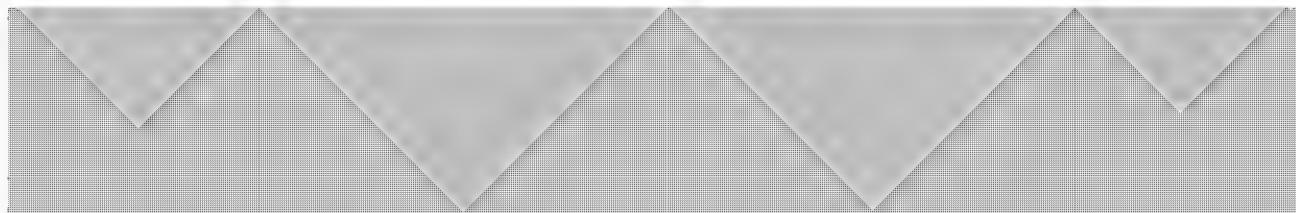
s.69(1)(g) re (a)

Thanks.

-----Original Message-----

From: Kropp, Douglas [mailto:Douglas.Kropp@justice.gc.ca]  
Sent: 2016-05-19 4:50 PM  
To: Latham, Jane (HC/SC)  
Subject: [REDACTED]

Hi Jane,



**Page 213  
is withheld pursuant to section  
est retenue en vertu de l'article**

**23**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Pages 214 to / à 219  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**69(1)(e)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Page 220**  
**is withheld pursuant to section**  
**est retenue en vertu de l'article**

**69(1)(g) re (e)**

**of the Access to Information Act**  
**de la Loi sur l'accès à l'information**

**Pages 221 to / à 223  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**69(1)(e)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Page 224**  
**is withheld pursuant to section**  
**est retenue en vertu de l'article**

**69(1)(g) re (e)**

**of the Access to Information Act**  
**de la Loi sur l'accès à l'information**

**Pages 225 to / à 227  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**69(1)(e)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

## Trudel, Emilie

---

**De:** Aaron, David  
**Envoyé:** July-04-16 3:00 PM  
**À:** Garskey, Adam  
**Cc:** Taschereau, Alexia; Rousselle, Sonia; Kwan, Diana; Nabbali, Talitha; Filion, Marie-Claude  
**Objet:** [REDACTED]

s.23

Adam,



### David Aaron

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

s.23

---

**From:** Garskey, Adam  
**Sent:** June-30-16 2:03 PM  
**To:** Aaron, David <David.Aaron@justice.gc.ca>; Nabbali, Talitha <talitha.nabbali@justice.gc.ca>; Leduc, Sandra <Sandra.Leduc@justice.gc.ca>; Filion, Marie-Claude <Marie-Claude.Filion@justice.gc.ca>  
**Cc:** Taschereau, Alexia <Alexia.Taschereau@justice.gc.ca>; Rousselle, Sonia <Sonia.Rousselle@justice.gc.ca>; Kwan, Diana <Diana.Kwan@justice.gc.ca>  
**Subject:** [REDACTED]

Hello,



Thank you,

Adam

Adam Garskey  
Counsel | Avocat  
Office of the Associate Deputy Minister / Bureau du sous-ministre délégué  
Department of Justice Canada / Ministère de la Justice Canada  
284 Wellington Street, Room 4190 / 284 rue Wellington, pièce 4190  
Ottawa, Ontario K1A 0H8  
[adam\\_garskey@justice.gc.ca](mailto:adam_garskey@justice.gc.ca)  
Telephone | Téléphone : 613-957-4918  
Government of Canada | Gouvernement du Canada

**Pages 230 to / à 262  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**23**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

## Trudel, Emilie

**De:** Kwan, Diana  
**Envoyé:** July-05-16 10:49 AM  
**À:** Filion, Marie-Claude; Garskey, Adam  
**Cc:** Taschereau, Alexia; Nabbali, Talitha; Zahinda, Chikwa (FIN); Wong, Leanne; Major, Grégoire; Aaron, David  
**Objet:** [REDACTED]

Hi – [REDACTED]

**From:** Filion, Marie-Claude  
**Sent:** 2016-Jul-05 10:42 AM  
**To:** Garskey, Adam <Adam.Garskey@justice.gc.ca>  
**Cc:** Taschereau, Alexia <Alexia.Taschereau@justice.gc.ca>; Nabbali, Talitha <talitha.nabbali@justice.gc.ca>; Zahinda, Chikwa (FIN) <chikwa.zahinda@canada.ca>; Wong, Leanne <Leanne.Wong@justice.gc.ca>; Major, Grégoire <Gregoire.Major@justice.gc.ca>; Kwan, Diana <Diana.Kwan@justice.gc.ca>; Aaron, David <David.Aaron@justice.gc.ca>  
**Subject:** [REDACTED]

[REDACTED] Thank you.

Marie-Claude

**From:** Kwan, Diana  
**Sent:** July-05-16 10:40 AM  
**To:** Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

s.23

**From:** Filion, Marie-Claude  
**Sent:** 2016-Jul-05 10:29 AM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

Marie-Claude

**From:** Garskey, Adam  
**Sent:** July-05-16 10:27 AM  
**To:** Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

Thanks David. Diana, Marie-Claude - [REDACTED]

Adam

**From:** Aaron, David  
**Sent:** July 5, 2016 10:24 AM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED] **s.23**

Adam,

[REDACTED]

**David Aaron**  
Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

**From:** Garskey, Adam  
**Sent:** July-05-16 9:14 AM  
**To:** Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

Hi all,

Thanks,

Adam

**From:** Filion, Marie-Claude  
**Sent:** July 4, 2016 6:53 PM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

Adam,

s.23

Thank you.

---

**From:** Filion, Marie-Claude  
**Sent:** Monday, July 4, 2016 4:32 PM  
**To:** Garskey, Adam  
**Cc:** Taschereau, Alexia; Kwan, Diana; Nabbali, Talitha; Zahinda, Chikwa (FIN); Aaron, David  
**Subject:** [REDACTED]

Adam,

Thank you.

Marie-Claude Filion

Special Advisor and Counsel  
Office of the Assistant Deputy Minister - Business and Regulatory Law  
Department of Justice / Government of Canada  
[marie-claude.filion@justice.gc.ca](mailto:marie-claude.filion@justice.gc.ca) / Tel: 613-946-3822 / BlackBerry: 613-716-2153

Conseillère spéciale et avocate  
Bureau du sous-ministre adjoint - Droit des affaires et droit réglementaire

Ministère de la Justice / Gouvernement du Canada  
[marie-claude.filion@justice.gc.ca](mailto:marie-claude.filion@justice.gc.ca) / Tél: 613-946-3822 / BlackBerry: 613-716-2153

---

**From:** Garskey, Adam s.23  
**Sent:** July-04-16 3:58 PM  
**To:** Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>  
**Subject:** [REDACTED]

Thanks David.



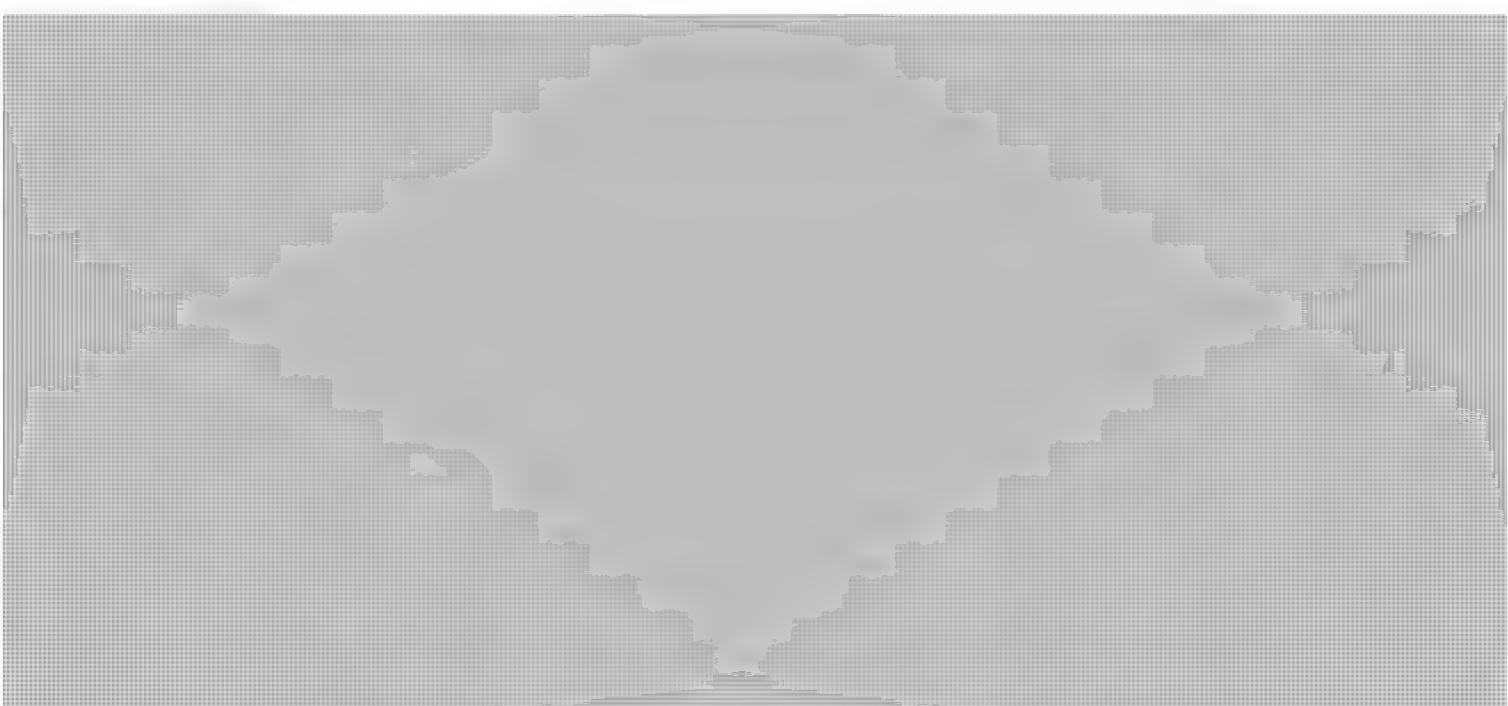
Thanks,

Adam

---

**From:** Aaron, David  
**Sent:** July 4, 2016 3:50 PM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>  
**Subject:** [REDACTED]

Adam,



David

---

**From:** Garskey, Adam  
**Sent:** July-04-16 3:21 PM  
**To:** Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>  
**Subject:** [REDACTED]

s.23

David,



Thanks,

Adam

---

**From:** Aaron, David  
**Sent:** July 4, 2016 3:00 PM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>  
**Subject:** [REDACTED]

Adam,



**David Aaron**

s.23

Special Advisor and Counsel | Conseiller spécial et avocat

Department of Justice Canada | Ministère de la Justice Canada

Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint

National Litigation Sector | Secteur national du contentieux

Government of Canada | Gouvernement Canada.

50 O'Connor Street | 50, rue O'Connor

Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage

Ottawa, Ontario K1A 0H8

Tel: (613) 670-6219 / Fax: (613) 954-1920

[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

---

**From:** Garskey, Adam

**Sent:** June-30-16 2:03 PM

**To:** Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Leduc, Sandra

<[Sandra.Leduc@justice.gc.ca](mailto:Sandra.Leduc@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>

**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan,

Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>

**Subject:** [REDACTED]

Hello,

Thank you,

Adam

Adam Garskey

Counsel | Avocat

Office of the Associate Deputy Minister / Bureau du sous-ministre délégué

Department of Justice Canada / Ministère de la Justice Canada  
284 Wellington Street, Room 4190 / 284 rue Wellington, pièce 4190  
Ottawa, Ontario K1A 0H8  
[adam\\_garskey@justice.gc.ca](mailto:adam_garskey@justice.gc.ca)  
Telephone | Téléphone : 613-957-4918  
Government of Canada | Gouvernement du Canada

## Trudel, Emilie

**De:** Kwan, Diana  
**Envoyé:** July-05-16 11:45 AM  
**À:** Garskey, Adam  
**Objet:** FW: Info for call with AANDC and HC  
**Pièces jointes:** [REDACTED]

---

**From:** Kwan, Diana  
**Sent:** 2016-Jul-05 11:07 AM  
**To:** Aaron, David <David.Aaron@justice.gc.ca>; Filion, Marie-Claude <Marie-Claude.Filion@justice.gc.ca>; Nabbali, Talitha <talitha.nabbali@justice.gc.ca>  
**Cc:** Wong, Leanne <Leanne.Wong@justice.gc.ca>; Major, Grégoire <Gregoire.Major@justice.gc.ca>  
**Subject:** [REDACTED]

---

**From:** Aaron, David  
**Sent:** 2016-Jul-05 10:57 AM  
**To:** Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>  
**Cc:** Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED] s.23

David

---

**From:** Kwan, Diana  
**Sent:** July-05-16 10:56 AM  
**To:** Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

---

**From:** Filion, Marie-Claude  
**Sent:** 2016-Jul-05 10:55 AM  
**To:** Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>

**Cc:** Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>

**Subject:** [REDACTED]

Diana,

[REDACTED]  
Thank you.

Marie-Claude

**From:** Garskey, Adam

**Sent:** July-05-16 10:48 AM

**To:** Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>

**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>

**Subject:** [REDACTED]

[REDACTED]  
Thanks.

Thanks,

s.23

Adam

**From:** Filion, Marie-Claude

**Sent:** July 5, 2016 10:42 AM

**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>

**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>

**Subject:** [REDACTED]

[REDACTED]  
Thank you.

Marie-Claude

**From:** Kwan, Diana

**Sent:** July-05-16 10:40 AM

**To:** Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>

**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>

**Subject:** [REDACTED]

**From:** Filion, Marie-Claude  
**Sent:** 2016-Jul-05 10:29 AM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

Marie-Claude

s.23

**From:** Garskey, Adam  
**Sent:** July-05-16 10:27 AM  
**To:** Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

Thanks David. [REDACTED]

Adam

**From:** Aaron, David  
**Sent:** July 5, 2016 10:24 AM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

Adam,

**David Aaron**  
Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor

Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

**From:** Garskey, Adam  
**Sent:** July-05-16 9:14 AM  
**To:** Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

Hi all,



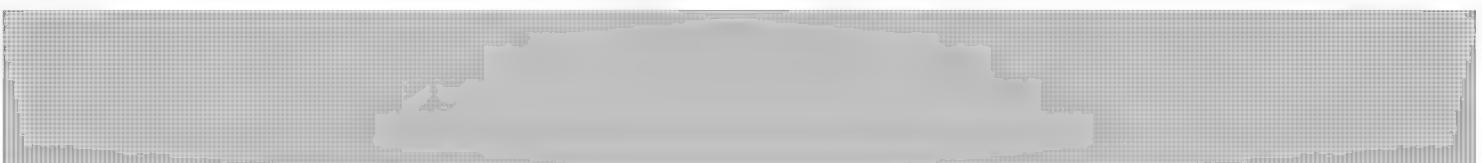
Thanks,

s.23

Adam

**From:** Filion, Marie-Claude  
**Sent:** July 4, 2016 6:53 PM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>; Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>; Wong, Leanne <[Leanne.Wong@justice.gc.ca](mailto:Leanne.Wong@justice.gc.ca)>; Major, Grégoire <[Gregoire.Major@justice.gc.ca](mailto:Gregoire.Major@justice.gc.ca)>  
**Subject:** [REDACTED]

Adam,

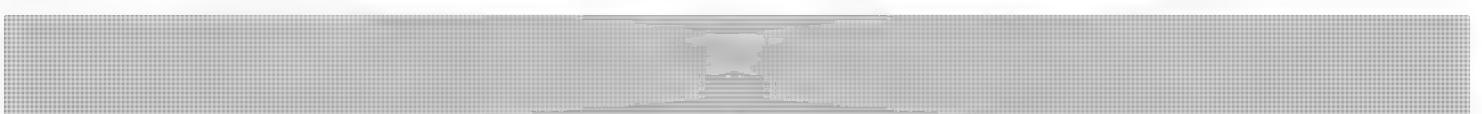


Thank you.

---

**From:** Filion, Marie-Claude  
**Sent:** Monday, July 4, 2016 4:32 PM  
**To:** Garskey, Adam  
**Cc:** Taschereau, Alexia; Kwan, Diana; Nabbali, Talitha; Zahinda, Chikwa (FIN); Aaron, David  
**Subject:** [REDACTED]

Adam,



Thank you.

Marie-Claude Filion

Special Advisor and Counsel  
Office of the Assistant Deputy Minister - Business and Regulatory Law  
Department of Justice / Government of Canada  
[marie-claude.filion@justice.gc.ca](mailto:marie-claude.filion@justice.gc.ca) / Tel: 613-946-3822 / BlackBerry: 613-716-2153

Conseillère spéciale et avocate  
Bureau du sous-ministre adjoint - Droit des affaires et droit réglementaire  
Ministère de la Justice / Gouvernement du Canada  
[marie-claude.filion@justice.gc.ca](mailto:marie-claude.filion@justice.gc.ca) / Tél: 613-946-3822 / BlackBerry: 613-716-2153

s.23

---

**From:** Garskey, Adam  
**Sent:** July-04-16 3:58 PM  
**To:** Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>  
**Subject:** [REDACTED]

Thanks David.

Thanks,

Adam

---

**From:** Aaron, David  
**Sent:** July 4, 2016 3:50 PM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>; Zahinda, Chikwa (FIN) <[chikwa.zahinda@canada.ca](mailto:chikwa.zahinda@canada.ca)>  
**Subject:** [REDACTED]

Adam,



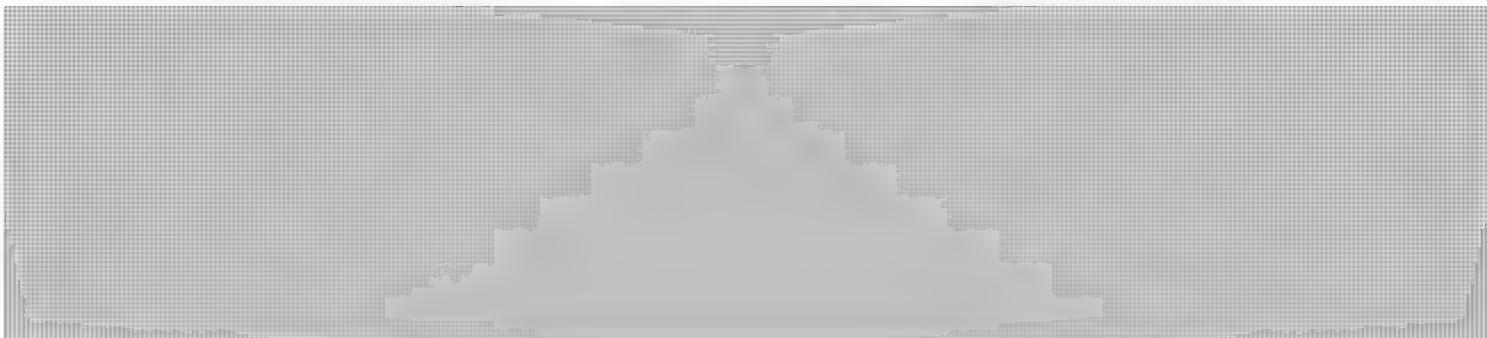
David

s.23

---

**From:** Garskey, Adam  
**Sent:** July-04-16 3:21 PM  
**To:** Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>  
**Subject:** [REDACTED]

David,



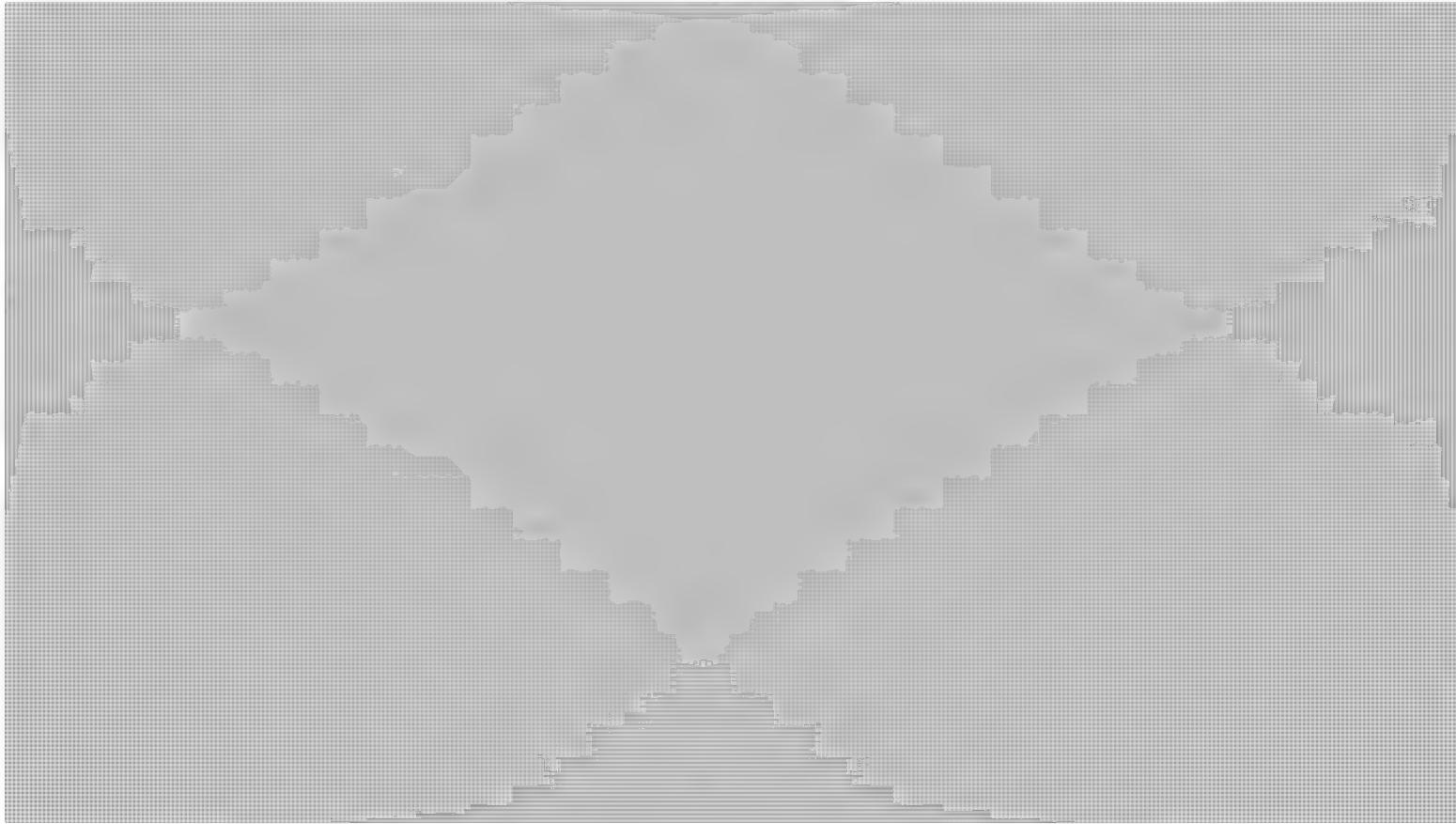
Thanks,

Adam

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**From:** Aaron, David  
**Sent:** July 4, 2016 3:00 PM  
**To:** Garskey, Adam <[Adam.Garskey@justice.gc.ca](mailto:Adam.Garskey@justice.gc.ca)>  
**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>  
**Subject:** [REDACTED]

Adam,



**David Aaron**

Special Advisor and Counsel | Conseiller spécial et avocat

Department of Justice Canada | Ministère de la Justice Canada

Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint

s.23

National Litigation Sector | Secteur national du contentieux

Government of Canada | Gouvernement Canada

50 O'Connor Street | 50, rue O'Connor

Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage

Ottawa, Ontario K1A 0H8

Tel: (613) 670-6219 / Fax: (613) 954-1920

[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

---

**From:** Garskey, Adam

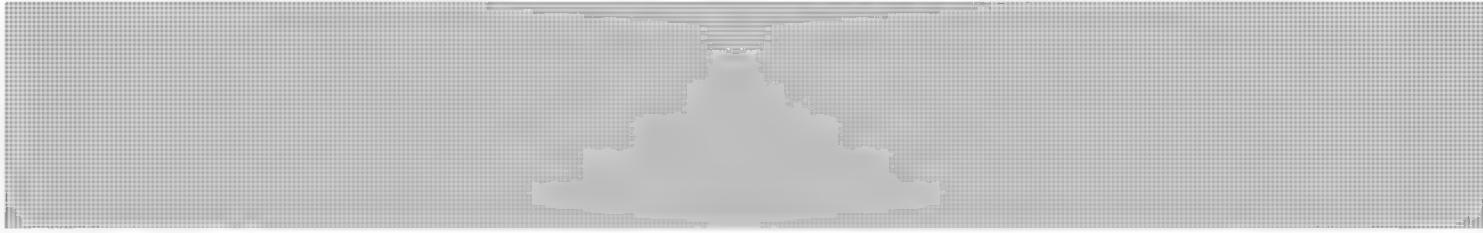
**Sent:** June-30-16 2:03 PM

**To:** Aaron, David <[David.Aaron@justice.gc.ca](mailto:David.Aaron@justice.gc.ca)>; Nabbali, Talitha <[talitha.nabbali@justice.gc.ca](mailto:talitha.nabbali@justice.gc.ca)>; Leduc, Sandra <[Sandra.Leduc@justice.gc.ca](mailto:Sandra.Leduc@justice.gc.ca)>; Filion, Marie-Claude <[Marie-Claude.Filion@justice.gc.ca](mailto:Marie-Claude.Filion@justice.gc.ca)>

**Cc:** Taschereau, Alexia <[Alexia.Taschereau@justice.gc.ca](mailto:Alexia.Taschereau@justice.gc.ca)>; Rousselle, Sonia <[Sonia.Rousselle@justice.gc.ca](mailto:Sonia.Rousselle@justice.gc.ca)>; Kwan, Diana <[Diana.Kwan@justice.gc.ca](mailto:Diana.Kwan@justice.gc.ca)>

**Subject:** [REDACTED]

Hello,



Thank you,

Adam

**s.23**

**Adam Garskey**

Counsel | Avocat

Office of the Associate Deputy Minister / Bureau du sous-ministre délégué

Department of Justice Canada / Ministère de la Justice Canada

284 Wellington Street, Room 4190 / 284 rue Wellington, pièce 4190

Ottawa, Ontario K1A 0H8

[adam.garskey@justice.gc.ca](mailto:adam.garskey@justice.gc.ca)

Telephone | Téléphone : 613-957-4918

Government of Canada | Gouvernement du Canada

**Pages 278 to / à 284  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**23**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

## Trudel, Emilie

---

**De:** Aaron, David  
**Envoyé:** July-05-16 11:52 AM  
**À:** Garskey, Adam  
**Cc:** Taschereau, Alexia; Kwan, Diana; Filion, Marie-Claude; Nabbali, Talitha  
**Objet:** [REDACTED]  
**Pièces jointes:** [REDACTED]

s.23

Adam,



### David Aaron

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

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de la Loi sur l'accès à l'information**

**Ana Stuhec -** [REDACTED]

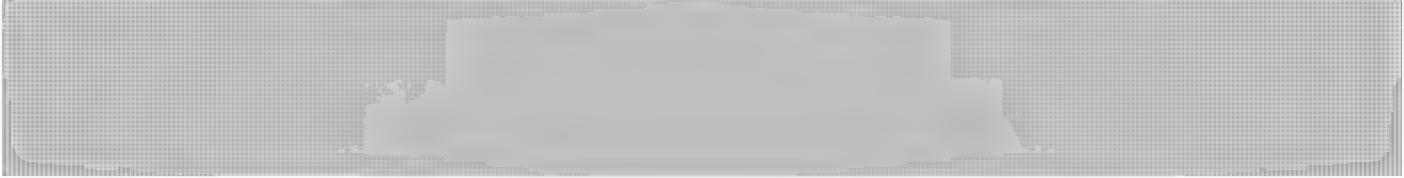
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**From:** Heather Wilson  
**To:** Ana Stuhec  
**Date:** 7/5/2016 10:38 AM  
**Subject:** [REDACTED]  
**Attachments:** [REDACTED]

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s.23

Hi Ana,



If you have any questions, just let me know.

Thanks,  
Heather

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**23**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

## Trudel, Emilie

---

**De:** Kwan, Diana  
**Envoyé:** July-06-16 9:17 AM  
**À:** Garskey, Adam; Filion, Marie-Claude; Wong, Leanne; Major, Grégoire  
**Objet:** FW: Now Posted: Jordan's Principle Statement & Fact Sheet

Hi - The Joint Statement and Fact Sheet on Jordan's Principle were posted to late yesterday. They have also been issued on the wire.

Here are the links:

Statement EN: <http://news.gc.ca/web/article-en.do?mthd=index&crtr.page=1&nid=1094729>

Statement FR: [http://nouvelles.gc.ca/web/article-fr.do?mthd=index&crtr.page=1&nid=1094729&\\_ga=1.112892420.1075170216.1467142609](http://nouvelles.gc.ca/web/article-fr.do?mthd=index&crtr.page=1&nid=1094729&_ga=1.112892420.1075170216.1467142609)

Fact Sheet EN: [http://news.gc.ca/web/article-en.do?mthd=tp&crtr.page=1&nid=1094749&crtr.tp1D=930&\\_ga=1.108041474.1075170216.1467142609](http://news.gc.ca/web/article-en.do?mthd=tp&crtr.page=1&nid=1094749&crtr.tp1D=930&_ga=1.108041474.1075170216.1467142609)

Fact Sheet FR: <http://nouvelles.gc.ca/web/article-fr.do?mthd=tp&crtr.page=1&nid=1094749&crtr.tp1D=930>

Diana

Diana Kwan  
Chief of Staff and A/Senior Counsel | Chef de Cabinet et Avocate-conseil principale par intérim  
Task Force on Constitutional Relations with Indigenous Nations | Groupe de travail sur les relations constitutionnelles avec les nations autochtones  
ADM's Office | Bureau de la SMA  
Aboriginal Affairs Portfolio | Portefeuille des Affaires Autochtones  
Department of Justice Canada | Ministère de la Justice Canada  
275 Sparks St., 7th floor  
Ottawa, Canada K1A 0H8  
[diana.kwan@justice.gc.ca](mailto:diana.kwan@justice.gc.ca)  
Telephone | Téléphone 613-907-3649  
Government of Canada | Gouvernement du Canada



Accueil → Nouvelles → Déclarations

→ Déclaration commune de la ministre de la Santé et de la ministre des Affaires autochtones et du Nord sur la réponse au principe de Jordan

## Déclaration



Santé  
Canada

Health  
Canada

 Partagez cette page

# Déclaration commune de la ministre de la Santé et de la ministre des Affaires autochtones et du Nord sur la réponse au principe de Jordan

Le 5 juillet 2016 - Ottawa, ON - Santé Canada/Affaires autochtones et du Nord Canada

OTTAWA – Le gouvernement du Canada a écouté les préoccupations soulevées par le tribunal canadien des droits de la personne et nos partenaires des Premières nations sur le principe de Jordan. C'est l'évidence même – nous croyons que les enfants doivent recevoir les services de soins de santé et les services sociaux dont ils ont besoin lorsqu'ils en ont besoin.

Aujourd'hui, nous répondons à ces préoccupations et annonçons une nouvelle approche en vue de mettre en œuvre le principe de Jordan. Cette approche se concentrera sur les besoins des enfants d'abord et garantira que les enfants des Premières nations qui vivent dans les réserves reçoivent rapidement les services sociaux et de santé dont ils ont besoin.

Le gouvernement du Canada a engagé jusqu'à 382 millions de dollars en nouveau financement pour soutenir cette nouvelle approche et l'application d'une définition élargie du principe de Jordan. Ce financement servira à améliorer la coordination des services et à garantir le règlement de l'accès aux services, afin d'évaluer les besoins des enfants et d'y répondre rapidement.

La mobilisation est une autre composante importante de la nouvelle approche à l'égard du principe de Jordan. Santé Canada et Affaires autochtones et du Nord Canada mobilisent activement les Premières nations et les partenaires des administrations afin de déterminer les soutiens requis et de trouver des façons d'améliorer la coordination des services et de prévenir les retards dans la réception de services sociaux et de soins de santé.

Ensemble, nous demeurons entièrement résolus à atteindre ce but crucial de répondre aux besoins des enfants des Premières nations qui vivent dans les réserves et d'honorer le véritable esprit du principe de Jordan.

Pour en savoir plus, consulter le document d'information sur le principe de Jordan.

#### **Personne-ressource**

Christina Lazarova  
Cabinet de Jane Philpott  
Ministre de la Santé  
613-957-0200

#### **Relations avec les médias**

Santé Canada  
613-957-2983

Sabrina Williams  
Attachée de presse  
Cabinet de l'honorable Carolyn Bennett  
819-997-0002

Relation avec les médias  
Affaires autochtones et du Nord Canada  
819-953-1160

#### **Renseignements au public**

613-957-2991  
1-866-225-0709

#### Recherche d'information connexe par mot-clés

L'hon. Jane Philpott

Santé Canada

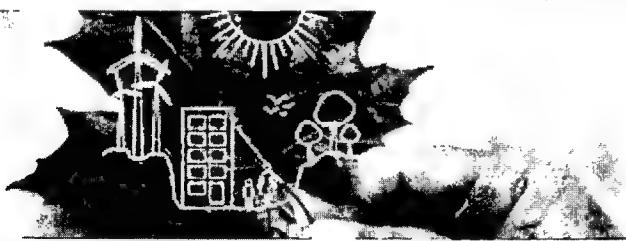
Santé et sécurité

#### **Date de modification :**

2016-07-05

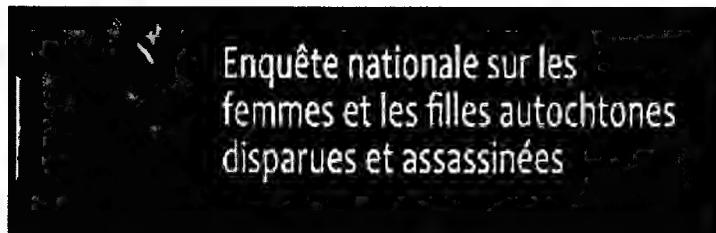
## Activités et initiatives du gouvernement du Canada

### Parlons des ressources propres – joignez-vous à la conversation



Joignez-vous à la conversation sur l'écotechnologie dans les secteurs des ressources naturelles du Canada. Posez une question, partagez une idée, répondez à une question de sondage et impliquez-vous.

### Enquête nationale sur les femmes et les filles autochtones disparues et assassinées



Toutes nouvelles sur l'enquête indépendante, les commissaires et leur mandat.

### Cinquième Conférence de reconstitution des ressources du Fonds mondial de lutte contre le sida, la tuberculose et le paludisme



Les 16 et 17 septembre, le Canada accueillera à Montréal la cinquième Conférence de reconstitution des ressources du Fonds mondial. Cette conférence réunira des alliés dans le but de rassembler des fonds pour mettre fin au sida, à la tuberculose et au paludisme.



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[Home](#) → [News](#) → [Backgrounders](#)

→ Fact Sheet: Jordan's Principle - Addressing the Needs of First Nations Children

## Backgrounder



Health  
Canada

Santé  
Canada

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# Fact Sheet: Jordan's Principle - Addressing the Needs of First Nations Children

The Government of Canada's new approach to Jordan's Principle is a child-first approach that addresses in a timely manner the needs of First Nations children living on reserve with a disability or a short-term condition. It ensures all children have access to the health and social services they need, when they need them. The Government of Canada has committed up to \$382 million in funding to this proactive response. Work is starting immediately and Indigenous and Northern Affairs Canada and Health Canada are already applying the broader definition.

The new approach to Jordan's Principle includes the following key components:

- Enhanced Service Coordination
- Service Access Resolution
- Engagement with First Nations and jurisdictional partners on a longer-term approach

Together, these will ensure that the federal government is positioned to meet the goal of immediately responding to the needs of First Nations children living on-reserve while also working to develop the capacity to proactively identify and manage the support and service needs of vulnerable children.

### Enhanced Service Coordination

The Service Coordination function addresses critical gaps for First Nations children living on-reserve. It will address health and social service gaps not met by provinces or the Yukon Territory and improve case management functions of existing federal programs. It will also help to manage costs and support a more comprehensive approach to data collection.

***How it will work***

Health Canada will administer Funding Arrangements with First Nations organizations to hire a regional Service Coordinator that will:

- assess needs
- facilitate early intervention
- develop integrated care plans
- connect the child and family to needed services
- remove the stress of navigating service systems
- support families as they manage their needs
- involve Jordan's Principle focal points, as necessary, to expediently address immediate service gaps.

**Service Access Resolution and Management**

The service access resolution and management function will provide the ability to intervene and prevent a disruption or delay in supports and services – which is key to the Government's response to the Canadian Human Rights Tribunal decision regarding Jordan's Principle.

***How it will work***

The service access resolution fund will be administered by Health Canada with joint oversight by Health Canada and Indigenous and Northern Affairs Canada Assistant Deputy Ministers.

When service coordination attempts do not resolve issues or identify needs that are not met through existing programs, support will be provided and paid for through the fund.

**Engaging Partners**

Engagement is a key component of the new approach to Jordan's Principle.

***How it will work***

First Nations and jurisdictional partners will be engaged on the design, management and implementation of the service access resolution and management component, as well as longer-term policy and program reform.

Search for related information by keyword

Hon. Jane Philpott

Health Canada

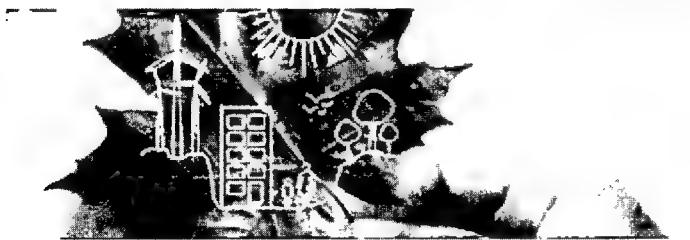
Health and Safety

**Date modified:**

2016-07-05

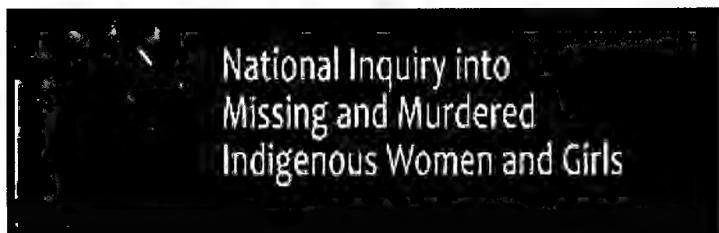
## Government of Canada activities and initiatives

### Let's talk clean resources – join the conversation



Join the conversation on clean technology in Canada's natural resource sectors. Ask a question, share an idea, answer a poll question and get involved.

### National Inquiry into Missing and Murdered Indigenous Women and Girls



Get the latest on the independent inquiry, the commissioners and their mandate.

### Fifth Replenishment Conference of the Global Fund to Fight AIDS, Tuberculosis and Malaria



On September 16-17, Canada will host the 5th Replenishment Conference of the Global Fund in Montreal. The conference will bring together allies to raise funds to end AIDS, Tuberculosis and Malaria.



Accueil → Nouvelles → Documents d'information

→ Feuillet de renseignements : Principe de Jordan - Répondre aux besoins des enfants des Premières nations

## Document d'information



Partagez cette page

# Feuillet de renseignements : Principe de Jordan - Répondre aux besoins des enfants des Premières nations

La nouvelle approche adoptée par le gouvernement du Canada à l'égard du principe de Jordan est une approche « l'enfant d'abord », qui répond en temps opportun aux besoins des enfants des Premières nations qui vivent dans les réserves et qui sont atteints d'une invalidité ou d'une maladie à court terme. Elle garantit que tous les enfants ont accès aux services de santé et sociaux dont ils ont besoin, quand ils en ont de besoin. Le gouvernement du Canada a affecté jusqu'à 382 millions de dollars en nouveau financement à cette réponse proactive. Le travail débute immédiatement et Affaires autochtones et du Nord Canada et Santé Canada appliquent déjà la définition plus élargie.

La nouvelle approche du principe de Jordan comprend les composantes clés qui suivent :

- une meilleure coordination des services;
- le règlement de l'accès aux services
- un engagement auprès des Premières nations et des partenaires des administrations à l'égard d'une approche à long terme.

Ensemble, ces composantes permettront au gouvernement fédéral de s'assurer d'être bien positionné pour atteindre l'objectif de répondre immédiatement aux besoins des enfants des Premières nations vivant dans les réserves, tout en travaillant sur le renforcement de sa capacité à cerner et à gérer de façon proactive les besoins en matière de soutien et de services des enfants vulnérables.

### **Une meilleure coordination des services**

La fonction de coordination des services pallie des lacunes cruciales pour les enfants des Premières nations vivant dans les réserves. Elle palliera les lacunes en matière de services de santé et de services sociaux que les provinces ou que le territoire du Yukon ne peuvent offrir, et améliorera les fonctions de gestion des cas des programmes fédéraux actuels. Elle contribuera du même coup à gérer les coûts et à soutenir une approche plus complète à l'égard de la collecte de données.

### ***Fonctionnement***

Santé Canada administrera des ententes de financement avec des organisations des Premières nations en vue d'embaucher un coordonnateur régional des services, qui accomplira ce qui suit :

- évaluer les besoins;
- faciliter une intervention précoce;
- concevoir des plans de soins intégrés;
- établir un lien entre l'enfant, sa famille et les services requis;
- éliminer le stress lié à la navigation dans les systèmes de service;
- soutenir les familles à mesure qu'elles gèrent leurs besoins;
- impliquer les points de contact du principe de Jordan, au besoin, pour pallier rapidement les lacunes immédiates en matière de service.

### **Règlement et gestion de l'accès aux services**

La fonction de règlement de l'accès au service permettra d'intervenir et d'empêcher une perturbation ou un retard dans l'offre de soutiens et de services – qui constitue un élément clé de la réponse du gouvernement à la décision du Tribunal canadien des droits de la personne au sujet du principe de Jordan.

### ***Fonctionnement***

C'est Santé Canada qui administrera le fonds de règlement de l'accès aux services, tandis que les sous-ministres adjoints de Santé Canada et d'Affaires autochtones et du Nord Canada le superviseront conjointement.

Lorsque la coordination des services ne parvient pas à résoudre des questions ou qu'elle cerne des besoins auxquels les programmes actuels ne répondent pas, un soutien sera accordé et versé par l'intermédiaire du fond.

### **Mobilisation des partenaires**

La mobilisation est une composante fondamentale de la nouvelle approche à l'égard du principe de Jordan.

### **Fonctionnement**

Des partenaires des Premières nations et des partenaires des juridictions, ainsi que des gouvernements provinciaux et du gouvernement du Yukon, participeront à la conception, à la gestion et à la mise en œuvre de la composante de règlement et de gestion de l'accès aux services, de même qu'à la réforme à long terme de la politique et du programme.

Recherche d'information connexe par mot-clés

L'hon. Jane Philpott

Santé Canada

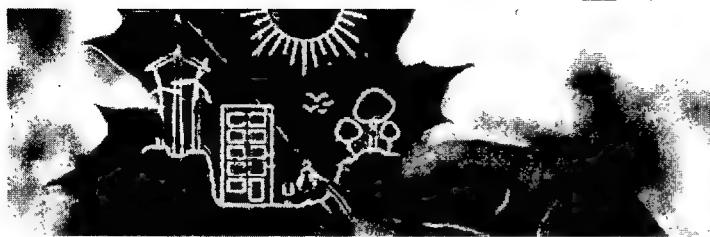
Santé et sécurité

**Date de modification :**

2016-07-05

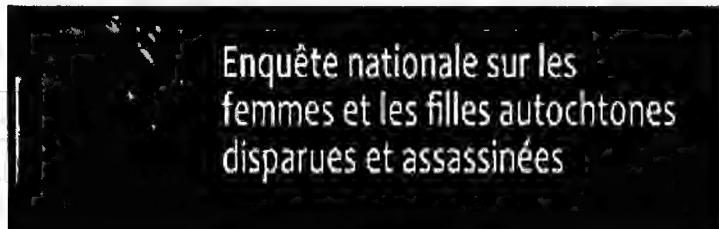
## **Activités et initiatives du gouvernement du Canada**

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## Trudel, Emilie

---

**De:** Aaron, David  
**Envoyé:** July-06-16 3:40 PM  
**À:** Garskey, Adam  
**Cc:** Patry, Claudine; Taschereau, Alexia; Bickert, Geoffrey; \* NLS ADAGO; Kwan, Diana  
**Objet:** AFN Reply submission as filed

**Indicateur de suivi:** Follow up  
**État de l'indicateur:** Avec indicateur



Respondent's  
Further Reply Su...

### David Aaron

Special Advisor and Counsel | Conseiller spécial et avocat  
Department of Justice Canada | Ministère de la Justice Canada  
Office of the Assistant Deputy Attorney General | Bureau du sous-procureur général adjoint  
National Litigation Sector | Secteur national du contentieux  
Government of Canada | Gouvernement Canada  
50 O'Connor Street | 50, rue O'Connor  
Sun Life Building, 6<sup>th</sup> Floor | Édifice Sun Life, 6<sup>e</sup> étage  
Ottawa, Ontario K1A 0H8  
Tel: (613) 670-6219 / Fax: (613) 954-1920  
[david.aaron@justice.gc.ca](mailto:david.aaron@justice.gc.ca)

Tribunal File No. T-1340/7008

CANADIAN HUMAN RIGHTS TRIBUNAL

BETWEEN:

FIRST NATIONS CHILD AND FAMILY CARING SOCIETY OF CANADA  
and ASSEMBLY OF FIRST NATIONS

Complainants  
and

CANADIAN HUMAN RIGHTS COMMISSION

Commission  
and

ATTORNEY GENERAL OF CANADA  
(representing the Minister of Indian and Northern Affairs)

Respondent  
and

CHIEFS OF ONTARIO, AMNESTY INTERNATIONAL CANADA and  
NISHNAWBE ASKI NATION

Interested Parties

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RESPONDENT'S FURTHER REPLY SUBMISSIONS  
RE IMMEDIATE RELIEF

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Jonathan Tarlton & Patricia MacPhee  
JUSTICE CANADA  
Atlantic Regional Office  
5251 Duke Street, Suite 1400  
Halifax, NS B3J 1P3

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## **Introduction**

1. The following is Canada's reply to both the June 8, 2016 submissions of the First Nations Child and Family Caring Society ("Caring Society") and Chiefs of Ontario; and the June 24, 2016 submissions of the Canadian Human Rights Commission ("Commission") and the Assembly of First Nations ("AFN").

2. The Tribunal has made a finding of discrimination. Canada has begun working with First Nations' child welfare agencies, communities, leadership and front-line services providers, the Provinces and Yukon Territory, as well as with parties to this Complaint to reform child welfare and to eliminate those aspects of the Program that resulted in discrimination. Some of Canada's recent efforts to address the findings of the Tribunal and the concerns raised by the parties to the Complaint include:

- a) Indigenous and Northern Affairs Canada ("INAC") has commenced working on the development of a National Advisory Committee ("Committee") with the Caring Society and the AFN. Several meetings have taken place over the last two months and work is ongoing to develop the Terms of Reference of the Committee and the role it will play in the Program reform.
- b) INAC is developing a phased engagement strategy with partners, for national and regional discussions across the country. A national summit on Indigenous Child Welfare is being planned for October 2016 to share best practices and to guide partner dialogue on the future of child and family services.
- c) INAC is participating in a newly-established Federal/Provincial/Territorial Indigenous Children and Youth in Care Working Group created to move forward on previous provincial/territorial work to address the overrepresentation of Indigenous children in care.
- d) On July 5, 2016, Canada announced an investment of up to \$382 million in new funding to provide support to Jordan's Principle. This funding will be used to enhance service coordination and ensure service access issues are resolved so that

children's needs are assessed and responded to quickly.

3. As noted previously, Canada has already increased existing program funding. Canada has and will continue to work with the Complainants, Interested Parties and partners who did not appear before the Tribunal to renew its relationship with Indigenous people in the area of child welfare. Work to reform the Program requires sufficient time to yield positive and measurable outcomes. This work cannot be undertaken unilaterally.

### **Canada's Response to the Submissions of the Caring Society**

#### ***Clarification required on when "full implementation" will occur.<sup>1</sup>***

4. "Full implementation" of Budget 2016 investments will be reached in Year 4 (2019-2020). Funding for 2016-17 has been scaled over the four years with some jurisdictions getting 60% of full funding in Year 1 and others receiving 40%.<sup>2</sup> More information on the implementation of Budget 2016 investments is provided in Canada's May 24, 2016 submissions at para. 34 and Annex A.

#### ***Clarification on Prevention Funding and closing the gap.<sup>3</sup>***

5. Canada is investing over \$17.5 million in 2016-17 for prevention services and programming in British Columbia, Yukon, New Brunswick, Newfoundland and Labrador and Ontario. Over the next five years, \$161.9 million in new program funding will be provided to support prevention based programming in the remaining jurisdictions, not including any adjustments to address agency growth.

6. For a breakdown of funding that will be provided to service providers in these jurisdictions in future years, please see the below excerpt from Table 2 of Canada's May 24 submission:

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<sup>1</sup> Caring Society's Submissions dated June 8, 2016, paras. 17, 28, 41, 42, 43.

<sup>2</sup> Funding for Year 1 is scaled to 60% in Quebec, Alberta, Saskatchewan, Prince Edward Island, Manitoba and Nova Scotia. In Year 2, it increases to 70%, Year 3 it will be 80% and 100% in Year 4. In British Columbia, Yukon, New Brunswick, Newfoundland and Labrador and Ontario, funding in Year 1 is scaled to 40% to expand prevention services. In Year 2, it increases to 60%, Year 3 to 80% and 100% in Year 4.

<sup>3</sup> Caring Society's Submissions dated June 8, 2016, para. 20.

Prevention	Funding Year 1	Funding Year 2	Funding Year 3	Funding Year 4	Funding Year 5	5 Year Total
	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	
New Brunswick	\$ 2,254,477.25	\$ 3,381,715.87	\$ 4,508,954.50	\$ 5,636,193.12	\$ 5,636,193.12	\$ 21,417,533.86
British Columbia	\$ 5,390,010.32	\$ 8,085,015.48	\$ 10,780,020.64	\$ 13,475,025.80	\$ 13,475,025.80	\$ 51,205,098.04
Newfoundland	\$ 1,060,132.58	\$ 1,590,198.88	\$ 2,120,265.17	\$ 2,650,331.46	\$ 2,650,331.46	\$ 10,071,259.55
Yukon	\$ 924,696.70	\$ 1,387,045.06	\$ 1,849,393.41	\$ 2,311,741.76	\$ 2,311,741.76	\$ 8,784,618.69
Ontario	\$ 8,041,829.12	\$ 11,326,642.09	\$ 14,611,455.05	\$ 18,264,318.81	\$ 18,264,318.81	\$ 70,508,563.88
<b>Sub-total</b>	<b>\$ 41,176,714.58</b>	<b>\$ 52,570,617.37</b>	<b>\$ 68,870,088.76</b>	<b>\$ 82,337,610.95</b>	<b>\$ 82,337,610.95</b>	<b>\$ 361,987,074.01</b>

7. Budget 2016 investments are a first step to establishing stability for front-line services and ensuring continued access to these services as Canada engages with its partners to reform the Program.

***Clarification on the 2012 Deck's \$38 million and explanation of why the amount for British Columbia is different.<sup>4</sup>***

8. The \$38 million funding increase identified in the 2012 draft Way Forward presentation was scaled up over five years, as indicated on slide 16 of that presentation. Therefore, the preliminary estimate of \$32 million needed to implement the Enhanced Prevention Focused Approach ("EPFA") in British Columbia, Yukon, New Brunswick, Newfoundland and Labrador and Ontario from 2012 (removing funding for Maintenance and Strength and Accountability) should be compared with the Budget 2016 investment of \$42.3 million for Years 4 and 5 for Prevention, and not with Budget 2016 Year 1 investments:

	2012 DRAFT Deck	Budget 2016 Funding Year 4 & 5
<b>Yukon</b>	\$2 M	\$ 2,311,741.76
<b>British Columbia</b>	\$21 M	\$ 13,475,025.80
<b>Ontario</b>	\$5 M	\$ 18,264,318.81
<b>New Brunswick</b>	\$2 M	\$ 5,636,193.12
<b>Newfoundland and Labrador</b>	\$2 M	\$ 2,650,331.46
<b>Subtotal for 5 jurisdictions</b>	<b>\$32 M</b>	<b>\$42,337,610.95</b>
<b>Maintenance</b>	\$4 M	
<b>Strength and Accountability</b>	\$2 M	
<b>Total</b>	<b>\$38 M</b>	<b>\$42.3 M</b>

Please note that unlike in 2012, maintenance for expanding prevention would be included as part of the Program's Annual Growth and Cost Drivers calculation.

<sup>4</sup> Caring Society's Submissions dated June 8, 2016, paras. 21 and 23.

9. When comparing the correct numbers, there is only one jurisdiction (British Columbia) which will receive less than the amount identified in Option 1 of the 2012 draft Way Forward presentation. The decrease in funding for British Columbia is due to a variety of reasons, which are outlined below:

- a) Budget 2016 was developed using formulas that were updated over several years through a comprehensive process undertaken by INAC which included a cost driver study and trend analysis, using the most current data available by jurisdiction. These updated amounts more accurately reflect the needs and requirements of the Program. The figures outlined in the 2012 draft Way Forward presentation were preliminary estimates and do not include any revisions made to funding levels since 2012.
- b) Funding for service providers in British Columbia was determined using a funding formula that was tailored to reflect the provincial delegation model. In British Columbia, the Ministry of Children and Family Development uses a three tiered operational process for delegated Aboriginal Child and Family Service agencies: C3 - Resource development and voluntary service delivery; C4 - Guardianship services for continuing custody wards; C6 - Full child protection services.<sup>5</sup>
- c) The formula was tailored to reflect the provincial delegation model to ensure the funding provided to agencies is more in line with the services for which they have been delegated. The estimate provided in the 2012 draft Way Forward Deck was calculated by applying a standard EPFA model to all agencies regardless of their level of delegation. Furthermore, the INAC BC Regional Office worked with First Nation Child and Family Service Agency Directors to determine the best way to allocate immediate relief funding to achieve the most beneficial impact for those they serve.

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<sup>5</sup> More information on the British Columbia delegation process can be found at: <http://www2.gov.bc.ca/gov/content/family-social-supports/data-monitoring-quality-assurance/reporting-monitoring/accountability/delegated-aboriginal-agencies/delegation-process>.

- d) For more details on the updated funding model used for Budget 2016, please see Annex B of Canada's May 24, 2016 submission.

***Response to the submission that Canada did not provide a specific reference to the number of agencies receiving additional funding to reflect actual children in care counts in Directive 20-1 jurisdictions.<sup>6</sup>***

10. As outlined in Canada's April 18, 2016 Budget 2016 follow-up submission, 26 agencies were identified as serving communities with more than 6% of children in care (7% in Manitoba) as part of the Budget 2016 costing exercise. The breakdown by region is as follows:

- a) Newfoundland and Labrador: one service provider operating with over 6% children in care;
- b) British Columbia: five service providers operating with over 6% children in care;
- c) Manitoba: four service providers operating with over 7% children in care;
- d) Alberta: seven service providers operating with over 6% children in care;
- e) Quebec: eight service providers operating with over 6% children in care; and
- f) Saskatchewan: one service provider operating with over 6% children in care.

11. As one of the drivers for the Program's annual growth and cost drivers is the ratio of children in care, in the future, agencies that have the more than 6% of children in care will be able to have their funding levels adjusted to reflect operational needs.

***Clarification on funding for small agencies.<sup>7</sup>***

12. Current funding methodology for scaling small agencies through core funding **does not** decrease the funding provided to an agency for protection or prevention services. Under current funding methodologies, agencies serving a population of less than 800 children have funding provided to their core services scaled. These core line items include:

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<sup>6</sup> Caring Society's Submissions dated June 8, 2016, para. 27.

<sup>7</sup> Caring Society's Submissions dated June 8, 2016, paras. 30 and 32.

- a) expenses for Board of Directors;
- b) salaries for the Director, Human Resources; Administrative and Financial staff positions;
- c) funding for agency evaluations, audit, insurance and legal; and
- d) administration overhead, benefits, training and travel for the above positions only.

*Further information required to explain how Canada's "growth and cost drivers" formula was calculated.<sup>8</sup>*

13. As previously outlined in Canada's May 24, 2016 submissions, the Budget 2016 investments also include increased funding to address growth and future cost drivers. The annual amount for growth and cost drivers was calculated at approximately 3% of program investments to address future growth in Program costs. The increased funding takes into account the growth and cost drivers needed over the next five years to address pressures in the area of:

- a) child maintenance costs;
- b) non-salary operations costs;
- c) salaries; and
- d) rates of the number of children in care.

14. Allocation of the Budget 2016 investments to address the various growth and cost drivers will be done through regular review of the needs within the program. This additional funding is expected to align with provincial and territorial rates and will help to address the need to reallocate funding from other departmental programs to address shortfalls within the Program.

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<sup>8</sup> Caring Society's Submissions dated June 8, 2016, paras. 35 and 36.

***Clarification on how funding for non-EPFA regions was calculated.<sup>9</sup>***

15. The funding model used to calculate the investment for service providers that have not yet transitioned to EPFA was determined by applying an updated and improved EPFA model that included adjustments to expenditures that the Program was able to address within existing policy and funding authorities, as noted in Canada's submission of May 24, 2016 (para. 13). Templates of the funding models used to calculate these investments can be found in Annex B of Canada's May 24, 2016 submission.

16. As previously noted in Canada's May 24, 2016 submission (paras. 13a-13g), these updated formulas provide increased funding for a range of existing and new budget items including, but not limited to:

- a) upward adjustment for agencies with a child in care count above 6%;
- b) increases for prevention-based services for all jurisdictions;
- c) upward adjustments to staff salaries to provide comparability with current provincial rates;
- d) adjustments to case-worker ratios;
- e) additional funding for off-hour emergency services;
- f) increased investments to service purchase per child; and
- g) funding for intake and investigation services, which were previously managed and administered by the provinces.

17. These new investments will enable service providers to recruit and retain qualified and experienced staff, including social workers and other child-welfare practitioners, to adopt more community based service structures and to have the required resources to provide prevention activities that respond to their specific priorities and community needs. The investments of immediate relief funding are at the discretion of each service provider.

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<sup>9</sup> Caring Society's Submissions dated June 8, 2016, para. 38.

***Clarification on the 2012 Deck's \$108 million figure.<sup>10</sup>***

18. The figures outlined in the 2012 draft Way Forward presentation were preliminary estimates and do not include any additional revisions made to funding levels since 2012. Similar to Budget 2016 investments, the 2012 draft Way Forward presentation indicated that funds would increase over five years. Accordingly, the appropriate comparison for the preliminary estimate of \$108 million in the 2012 draft Way Forward presentation is Budget 2016's Year 5 \$176.8 million investment, not Budget 2016 Year 1's scaled investments of \$71 million.

19. In addition, the option proposed in the 2012 draft Way Forward presentation was not limited to expanding prevention services and programming in British Columbia, Yukon, New Brunswick, Newfoundland and Labrador and Ontario, but was an option to provide increased funding across the entire Program.

20. The \$108.13 million figure from INAC's 2012 draft Way Forward Presentation cited by the Caring Society included the following:

- a) \$32 million to expand the EPFA to the five remaining jurisdictions;
- b) \$43.1 million to top-up existing EPFA jurisdictions;
- c) \$4 million for maintenance (this amount has been rolled into the \$65.03 million and is not clearly identified in the presentation);
- d) \$27.03 million for program growth calculated at 3% (this amount has been rolled into the \$65.03 million and is not clearly identified in the presentation); and
- e) \$2 million for strength and accountability (this amount has been rolled into the \$65.03 million and is not clearly identified in the presentation).

21. In comparison, Budget 2016 amounts proposed at \$176.8 million for Year 5 and ongoing, are higher than what was proposed in the 2012 draft Way Forward presentation:

- a) \$40.4 million to expand prevention based services to the five remaining

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<sup>10</sup> Caring Society's Submissions dated June 8, 2016, para. 39.

jurisdictions;

- b) \$70.1 million to top-up jurisdictions operating under the EPFA (program integrity);
- c) \$62.6 million for program growth and cost drivers;
- d) \$2.3 million to support the expansion of provincial case management systems; and
- e) \$1.4 million for INAC internal resources.

*Clarification on comparability of staff benefit packages.<sup>11</sup>*

22. The methodologies of the agency costing model templates (provided as part of Annex B of Canada's May 24, 2016 submission) show that costing for staff benefits used the Government of Canada rate of 20.45% of total salaries. This methodology was agreed upon with partners in all EPFA jurisdictions as these frameworks were being established. It was expanded to remaining jurisdictions as part of INAC's Budget 2016 costing analysis. Canada is open to further discussions at regional tripartite tables and as part of larger reform conversations, to consider changing the way in which future rates are calculated.

*Explanation of why Canada has not addressed cost of living, remoteness, multiple offices, culturally appropriate programs and services, band representatives and least disruptive measures at the stage.<sup>12</sup>*

23. Issues of remoteness, multiple offices, capital infrastructure and band representatives will be addressed as part of reform discussions with relevant partners and stakeholders. Unilateral action by INAC to decide how to address these important issues would be contrary to the Government's commitment to renew the relationship between Canada and Indigenous peoples, building a relationship based on recognition of rights, respect, cooperation and partnership.

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<sup>11</sup> Caring Society's Submissions dated June 8, 2016, para. 44.

<sup>12</sup> Caring Society's Submissions dated June 8, 2016, para. 53.

***Response to the submission that Canada presumes, without any supporting data, that all of the agencies operating in Canada (many of which have been operating for at least 20-30 years) lack capacity to fully implement immediate relief measures.<sup>13</sup>***

24. Funding will be provided to agencies incrementally to allow them time to hire, train and retain staff, based on the availability of qualified social workers and other staff and to expand their prevention programming. This approach in no way means that Canada presumes that agencies lack the capacity to implement immediate relief measures, but recognizes that it takes time to grow any organization and this is a mechanism to ensure funding does not lapse.

25. The information provided by Canada in its submissions is a result of a long-term process that included discussions with agencies, First Nations representatives as well as Provinces and the Yukon Territory as part of ongoing work through existing tripartite and bilateral tables.

26. Finally, contrary to the allegation advanced, at no time has Canada ever suggested that “those who are victimized by the discrimination are somehow responsible for the slow pace of change”.

***Clarification on how Canada arrived at financial projections for 2017-18 to 2020-21 and steps to ensure funding is available following the next election cycle.<sup>14</sup>***

27. Funding provided through Budget 2016 investments will be ongoing.

28. Budget 2016 investments will be phased in with 100% implementation occurring in Year 4 (2019-20) and again in Year 5 (2020-21). The financial projections for 2017-18 to 2020-21 were calculated by scaling the full annual investment, as seen in Years 4 and 5. For program integrity jurisdictions (Quebec, Alberta, Saskatchewan, Prince Edward Island, Manitoba and Nova Scotia), funding has been scaled at a rate of Year 1 - 60%, Year 2 - 70%, Year 3 - 80% and 100% for Years 4 and 5. For expanding prevention (British Columbia, Yukon, New Brunswick, Newfoundland and Labrador and Ontario), funding has been scaled at a rate of Year 1 - 40%, Year 2 - 60%, Year 3 - 80% and 100% for Years 4 and 5.

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<sup>13</sup> Caring Society's Submissions dated June 8, 2016, para. 59.

<sup>14</sup> Caring Society's Submissions dated June 8, 2016, para. 61.

***Clarification needed on how immediate relief investment will be sufficient to address the discrimination identified by the Tribunal.<sup>15</sup>***

29. Canada's immediate relief investments will address and help to remediate the discrimination identified by the Tribunal and will improve outcomes for First Nations children and families. These investments will provide greater prevention services to families and support critically needed Program stability while ensuring that no disruption of services occurs during work to reform the Program.

***Clarification on the provision of funding to address growth in maintenance costs and INAC Operations.<sup>16</sup>***

30. Growth in maintenance costs, one of the components used to calculate the Program's annual adjustment, and costs for INAC operations are part of overall Budget 2016 investments to the Program. Annexes A and C of Canada's May 24, 2016 submission provide a complete breakdown of how these investments have been allocated to each FNCFS service provider. Funds from the annual adjustment will be allocated to agencies on an as-needed basis to respond to increases in maintenance expenses, provincial salary changes and increased ratio of children in care, as needed. Any growth in maintenance would continue to be addressed by INAC.

31. The small amount allocated to INAC operations is to support work with partners in implementing medium and long-term program reform measures.

***Clarification that immediate relief funds shall be used strictly for the purposes listed in the submissions and that additional and non-discriminatory funding shall be allocated for costs not enumerated on the list.<sup>17</sup>***

32. Budget 2016 investments provide increased funding across a range of existing and new formula line items. How immediate relief funds are allocated is at the discretion of each autonomous service provider according to their respective needs.

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<sup>15</sup> Caring Society's Submissions dated June 8, 2016, para. 62.

<sup>16</sup> Caring Society's Submissions dated June 8, 2016, para. 63.

<sup>17</sup> Caring Society's Submissions dated June 8, 2016, para. 64.

***Response to the concerns and further relief being requested as set out in Appendix "A" and response to the concerns regarding Canada's responses to the Caring Society's requested measures set out in Appendix "B".<sup>18</sup>***

33. See Tables at Annex A and Annex B respectively for Canada's response.

***Response to the submissions on the definition of Jordan's Principle that Canada keep up-to-date information regarding its implementation of Jordan's Principle, including its definition of Jordan's Principle, assessment criteria and process, remediation and appeal mechanism.<sup>19</sup>***

34. Canada's new approach to Jordan's Principle addresses, in a timely manner, the needs of First Nations children living on-reserve with a disability or a short-term condition requiring health or social services. It helps to ensure that these children have access to the health and social services they need. Work is starting immediately and INAC and Health Canada are already applying the broader definition.

35. Under this new child-first principle, addressing the needs of children is the number one priority. Once a child's needs are assessed, available services will be coordinated in the most effective and responsive way by preventing jurisdictional disputes from delaying their access to needed services.

36. The proposed approach to implementing this definition of Jordan's Principle has three key components: a service coordination model of care; engagement with jurisdictional and First Nations partners on a longer-term approach; and a service access resolution mechanism. Together these components will ensure that Canada is positioned to meet the goal of immediately responding to the needs of First Nations children using the expanded definition while working to develop the capacity to identify and manage the support and service needs of vulnerable children.

37. A governance structure will be established to provide oversight to this new approach to Jordan's Principle. This structure will include a working level committee comprised of Health Canada and INAC officials from headquarters as well as Director General and Assistant Deputy Minister-level Committees. The purpose of these groups is to provide oversight that will monitor

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<sup>18</sup> Caring Society's Submissions dated June 8, 2016, para. 68.

<sup>19</sup> Caring Society's Submissions dated June 8, 2016, para. 72.

and guide the implementation of the new application of Jordan's Principle, share information between and across Health Canada and INAC and provide an appeals function. Appeals will be heard in an expeditious way to ensure children with disabilities and those with short-term discrete conditions receive services in a timely manner.

38. In order to implement the new approach, Canada will invest up to \$382 million in new funding over three years to provide support to this approach and broader application of Jordan's Principle. This funding will be used to enhance service coordination and ensure service access issues are resolved so that children's needs are assessed and responded to quickly.

39. Canada will engage with First Nations, provincial partners and the Yukon to establish what supports are needed in the long term.

***Response to the submission that, without delay and on an annual basis thereafter, Canada post non-identifying data on the number of Jordan's Principle referrals made, the disposition of those cases and the timeframe for disposition as well as the result of independent appeals.<sup>20</sup>***

40. Canada will communicate on an annual basis, through formal reporting, data on Jordan's Principle, including the number of cases tracked by Jordan's Principle Focal Points, as well as how much funding from the Jordan's Principle fund was needed to address specific cases. It will also report on activities related to the Enhanced Service Coordination function.

***Response to the submission that, without delay, Canada provide all First Nations and First Nations child and family agencies with the names and contact information of the Jordan's Principle focal points in all regions and any future changes to these contacts.<sup>21</sup>***

41. Canada updated the Jordan's Principle section of INAC's website to ensure that if individuals believe they have encountered a potential Jordan's Principle case and have not been able to resolve it at the community level, they should contact INAC's or Health Canada's regional office, call the INAC enquiries referral telephone line or email INAC's public enquiry email box. INAC will maintain a current referral list for the Focal Points to ensure people are directed to the appropriate contacts and avoid delays. National and regional Focal Points are in regular contact to ensure consistent and accurate information is provided to individuals. As stated

<sup>20</sup> Caring Society's Submissions dated June 8, 2016, para. 72.

<sup>21</sup> Caring Society's Submissions dated June 8, 2016, para. 72.

previously, Canada will continue to engage with partners to improve the service.

### **Canada's Response to the Submissions of the Chiefs of Ontario**

#### ***Response to the suggestion that immediate relief funding be provided regardless of the Province of Ontario's concurrence.<sup>22</sup>***

42. Canada is working with the Government of Ontario to provide immediate relief funding to Ontario for the benefit of FNCFS service providers. Approximately \$5.8 million will be provided to Ontario.

43. As indicated in INAC's March 10, 2016, submission, due to the 1965 Agreement being between the federal government and the province, INAC is not in a position to make unilateral changes to the Agreement. Canada cannot flow funds to Ontario, via the 1965 Agreement, without the province's concurrence. There is, currently, no other funding agreement available to flow immediate funds to Ontario.

44. At this time, Ontario has not agreed to allow immediate relief funding to be flowed through the 1965 Agreement. By letter of June 2, 2016, addressed to INAC's Deputy Minister, Ontario proposes that an alternative approach be found to create an interim arrangement outside of the 1965 Agreement for INAC to flow funds for immediate relief. INAC is actively working with Ontario to find a means to flow this money to the province as soon as possible. Before any options are finalized, INAC would seek support from First Nations leadership.

45. INAC fully supports a multi-party, collaborative approach including the Ontario First Nations leadership and the province to reach agreement to expedite the provision of immediate relief funding and to review the 1965 Agreement in order to recommend reforms.

#### ***Response to the request for the imposition of a deadline for the distribution of immediate relief.<sup>23</sup>***

46. As part of INAC's immediate relief investment, approximately \$5.8 million will be provided to Ontario to support First Nations Child and Family services. INAC is prepared to

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<sup>22</sup> Chiefs of Ontario's Submissions, June 8, 2016, para. 11.

<sup>23</sup> Chiefs of Ontario's Submissions, June 8, 2016, para. 14.

immediately flow the funding for on-reserve preventative services within Budget 2016 commitments. First Nations and service providers funded by Ontario may wish to design and implement other types of services to meet specific needs to prevent children from coming into care.

47. Canada's immediate relief investments are available for distribution. INAC officials have been in contact with the province to discuss how to flow these investments in a timely manner. INAC officials have contacted Chiefs of Ontario and provincial officials to arrange for meetings with First Nations representatives and provincial officials to discuss how these investments could be allocated in a timely manner.

48. As work is ongoing between Ontario and First Nations leadership, Canada requests the Tribunal not impose a deadline and instead allow the parties to work collaboratively to address this issue.

***Response to the request for additional information regarding how Canada determined the budget amount for immediate relief funding in Ontario and request for information about the relevance of Akwe:go and Wasanabin prevention programs for cost-comparison purposes.<sup>24</sup>***

49. Budget 2016 commits to increased funding each year over the coming four years. By Year 4 (2019-20), the annual allocation of \$15,901,511 will represent an increased federal government contribution of approximately \$560 per child, based on a December 2014 on-reserve population of 28,426 registered Indian children aged 0-18 in Ontario. Current INAC funding of prevention services is approximately \$600 per child. Thus, INAC's total annual allocation by 2019-20 for prevention services in Ontario First Nations will be more than \$1,160 per child. This federal contribution represents approximately 93.5% of the anticipated total eligible provincial reimbursement claim for these services under the 1965 Agreement.

50. The Budget 2016 allocation of \$15,901,511 annually by 2019-20 in Ontario is aimed to address two funding gaps. The costing approach aimed to ensure that each service provider would receive provincial funding of at least \$1,000 per on-reserve child for prevention services, plus an additional amount of more than \$200 per on-reserve child for potential new programs

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<sup>24</sup> Chiefs of Ontario's Submissions, June 8, 2016, paras. 17 and 18.

such as the youth-focused off-reserve Akwe:go and Wasanabin prevention programs. INAC took into consideration that Ontario currently invests approximately \$6,200,000 in the off-reserve Akwe:go and Wasanabin programs.

51. In light of the objective of the 1965 Agreement to provide services on the basis that needs in First Nations communities should be met according to standards applicable in other communities in Ontario, the Akwe:go and Wasanabin programs offered through the Ontario Federation of Indigenous Friendship Centres were identified as potentially relevant prevention-based programs available to urban Aboriginal children and youth, with a potential to be adapted and extended to on-reserve First Nations communities with additional federal support.

52. When Ontario introduced this programming off-reserve in the Friendship Centres a decade ago, it expressly invited Canada to develop a comparable on-reserve program. Due to lack of funding, additional investments were not available until Budget 2016.

***Response to the allegation that immediate relief funding does not account for remoteness nor for the different circumstances faced by the agencies in Ontario.<sup>25</sup>***

53. As noted in Canada's June 3 submission, INAC recognizes that remoteness is one of the key challenges affecting the delivery of services in many northern communities. Canada will include this important topic through partner engagement and with expert input both through the review of the 1965 Agreement and as part of the engagement process going forward.

54. Although the costing methodology did not address remoteness concerns, INAC is open to the recommendations of First Nations leadership and the province to allocate immediate relief funding where it is most needed, potentially including a consideration of remoteness.

55. As stated in Canada's June 3 submission, INAC will engage on undertaking and providing support for research on this topic, including consideration for building on the research contained in the Barnes report, to analyze a possible remoteness quotient.

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<sup>25</sup> Chiefs of Ontario's Submissions, June 8, 2016, para. 23.

***Response to the issue of funding for the Band Representative program.<sup>26</sup>***

56. As noted in Canada's May 26 and June 3, 2016 submissions, funding for Band Representatives in the child welfare process will be considered as part of the Program reform process as Canada wants to engage with appropriate partners and take into consideration their suggestions on how to best address this request.

***Response to the submission that Canada has not committed any immediate relief for mental health services in Ontario.<sup>27</sup>***

57. On June 13, 2016, Prime Minister Justin Trudeau announced approximately \$69 million will be invested over the next three years to provide immediate support for indigenous mental wellness. This new funding will support various measures, including:

- a) four crisis response teams to provide capacity for rapid response services and crisis coordination in regions located in Ontario, Manitoba and Nunavut identified as having the greatest need;
- b) an increase of mental wellness teams from 11 to 43 for communities most at-risk in order to strengthen existing community supports;
- c) training for existing community-based workers to ensure that care services are provided in a culturally appropriate and competent way;
- d) the establishment of a 24-hour culturally safe crisis response line;
- e) collaboration with Inuit partners to develop a community-led suicide prevention approach; and
- f) funding for two permanent mental health workers to deliver care in Attawapiskat.

58. This funding will be in addition to what Canada currently provides, close to \$300 million annually for community-based mental health and addictions programming on-reserve and in the territories.

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<sup>26</sup> Chiefs of Ontario's Submissions, June 8, 2016, para. 24.

<sup>27</sup> Chiefs of Ontario's Submissions, June 8, 2016, para. 25.

## **Canada's Response to the Submissions of the Commission**

### ***Response to the submissions on Canada's use of the term "stakeholders".<sup>28</sup>***

59. Agencies and front-line service providers, First Nations communities and leadership, and the parties to this Complaint are key partners and key stakeholders in reforming the Program. Canada supports the inclusion of all partners in discussions to reform the Program.

## **Canada's Response to the Submissions of the AFN**

### ***Response to the submission that INAC be ordered to engage in consultations with the Commission on immediate measures to redress the discrimination which it has been found to be guilty of perpetrating against First Nations' children and families.<sup>29</sup>***

60. Canada has already addressed a number of immediate relief measures, such as providing increased funding to FNCFS service providers through an updated and improved funding formula. Canada would like to move forward with addressing medium and long-term reform through engagement with key partners.

61. All work to reform the Program will include engagement with key partners such as agencies and front-line service providers, First Nations communities and leadership, Provinces and Yukon Territory and the parties to this Complaint.

### ***Response to the submission that Canada has made no attempts to discuss and negotiate immediate relief with the Complainants.<sup>30</sup>***

62. Canada disagrees with the statement that no attempts have been made by Canada to engage with the AFN on the issue of immediate relief.

63. INAC officials have met with officials from the AFN numerous times following the release of the Tribunal's decision to discuss issues related to the formation of the Committee and have met to discuss INAC's immediate relief commitments. The majority of the requests for

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<sup>28</sup> Commission's Submissions, June 24, 2016, para. 5.

<sup>29</sup> AFN's Submissions, June 24, 2016, para. 5.

<sup>30</sup> AFN's Submissions, June 24, 2016, para. 8.

additional immediate relief components that the Complainants have raised will need to be addressed in the medium to long term, following engagement with partners.

64. As part of its immediate relief efforts, INAC has committed to cash-managing \$36 million, half of Year 1 Budget 2016 investments, to provide much needed investments to FNCFS service providers in Quarter 1/Quarter 2 of the 2016-17 fiscal year. As of July 1, 2016, approximately \$28.4 million has been provided to FNCFS service providers and the Department is working to roll-out the remaining Quarter 1/Quarter 2 funding.

65. The remaining funds that will be provided in Quarter 3/Quarter 4 of the fiscal year as new investments remain subject to Parliamentary and Treasury Board approval. A breakdown of these investments can be found at Annex C of Canada May 24, 2016 submission.

*Response to the submission that the Tribunal should appoint the Commission to engage all party discussions on immediate relief; direct the Commission to create a subsequent draft order, including specific dates for the Respondent to implement all of the elements of immediate relief; and require the Commission to submit a draft order agreed upon by all parties within 60 days of the Panel's section 53(2) order.<sup>31</sup>*

66. The proposed order should not be granted as it is not necessary.

67. As previously stated, INAC's immediate relief investments are currently being provided to FNCFS service providers. \$36 million has been committed to support service providers in Quarter 1/Quarter 2 2016-17, with remaining funding to be released in Quarter 3/Quarter 4 upon Treasury Board and Parliamentary approvals.

68. INAC has committed to working with key partners to advance Program reform and to address a number of the relief measures proposed by the Complainants, such as remoteness, small agencies, legal fees, etc. This work needs to be addressed as part of mid to long-term reform and after thorough engagement with key partners.

69. As such, Canada does not believe it necessary for the Commission to be appointed.

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<sup>31</sup> AFN's Submissions, June 24, 2016, para. 13.

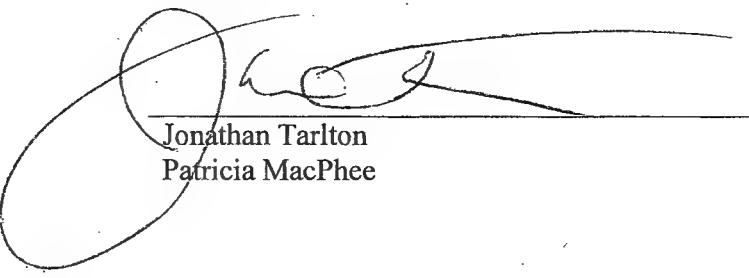
*Response to the submission that the Tribunal order Canada or direct the Commission to address the issue of resourcing the parties to ensure their meaningful participation in the process to effect reform.<sup>32</sup>*

70. INAC will be providing support to ensure participation by key partners (including the parties to this Complaint) in future efforts to reform the Program.

71. Canada is committed to continue to work with the Complainants, Interested Parties and partners who did not appear before the Tribunal to renew its relationship with Indigenous people in the area of child welfare reform. This work will require sufficient time to yield positive and measurable outcomes and collaboration between all parties.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

July 6, 2016



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Jonathan Tarlton  
Patricia MacPhee

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<sup>32</sup> AFN's Submissions, June 24, 2016, para. 17.

**Appendix A: Canada's compliance with immediate relief orders and additional immediate relief sought by the Caring Society**

<b>Caring Society Requests for Further Orders</b>		<b>INAC's Response to Requests for further Orders</b>
1	<b>The Caring Society asks that Canada be required to explain in detail how Canada will consult with the parties, First Nations and First Nations agencies regarding all matters regarding Jordan's Principle.</b>	Engagement is a key component of the new approach to Jordan's Principle. As mentioned in the May 10 submission, Health Canada and INAC have written jointly to provinces and territories to initiate discussions related to Jordan's Principle. First Nations leaders will also be engaged on the design, management and delivery of the new approach to Jordan's Principle for implementation over the next three years as well as longer-term policy and program reform. INAC and Health Canada senior officials will meet with the AFN to discuss next steps and to develop specific details on implementation of a child-first approach. At the same time, headquarters and regional executives will engage their First Nation partners on the proposed approach.
2	<b>The Respondent be ordered to: i) identify the amount of funding identified to respond to Jordan's Principle cases; and ii) identify any criteria and processes related to accessing the funding.</b>	Canada's renewed child-first approach is dedicating up to \$382 million in new funding over the next three years to ensure the health and social needs of First Nations children on-reserve with disabilities and those who present with a discrete, short-term issue for which there is a critical need for health and social supports are met. This fund will be accessed by Health Canada and INAC to cover costs of services that are required to meet provincial normative standards of services for children with disabilities living on-reserve when these services are not otherwise available. The fund will be used to address the individual needs of children as cases are brought forward, to resolve access issues, as well as to enhance service coordination. During this three-year time period, Canada will work with First Nations partners, provinces and Yukon territory to assess this response and ensure a longer term approach is established.
3	Canada's May 10, 2016 report simply says disputes within the federal government are now included, it does not specifically say the federal government is now applying Jordan's Principle to all jurisdictional disputes.  <b>The Caring Society asks that Canada be required to</b>	Canada reiterates its position identified in its May 10 submission to the Tribunal that it has expanded the application of Jordan's Principle to apply to all jurisdictional disputes and now includes those between federal government departments. On May 9, 2016, an interim guidance document was issued to Health Canada regional focal points and is a key component of Canada's renewed child-first approach. On May 4th, the expanded scope of Jordan's

Caring Society Requests for Further Orders	INAC's Response to Requests for further Orders
<p><b>confirm that INAC is applying Jordan's Principle <u>to all jurisdictional disputes</u>.</b></p>	<p>Principle was communicated by teleconference to INAC regional Focal Points and on June 9th, INAC regional Focal Points met face-to-face in Ottawa to discuss the details of the expanded scope.</p> <p>Officials from both departments at Headquarters and regions are closely monitoring all potential Jordan's Principle cases and regular regional Jordan's Principle Focal Points teleconferences have been instituted to discuss the status and resolution of cases.</p> <p>Following the announcement of the child-first approach on July 5, 2016, Health Canada and INAC will provide further direction to their staff to initiate the implementation of this approach, as well as support the resolution of disputes or service gaps over the next three years based on provincial normative standards.</p>
<p><b>4</b> In its May 10, 2016 response (p.2), the Respondent confirms it has written to the provinces and territories but provides no evidence of communicating such reforms in detail and in writing to First Nations, FNCFS agencies, federal employees working in First Nations children's programs including Jordan's Principle focal points and to the public.</p> <p><b>The Caring Society requests that the Respondent be ordered to communicate such reforms in detail and in writing to First Nations, FNCFS agencies, federal employees working in First Nations children's programs including Jordan's Principle focal points and to the public within 10 business days of the order</b></p>	<p>Following the announcement of the child-first approach, senior officials will engage with First Nations at the national and regional levels to plan the design and the implementation of the Service Coordination function and develop an effective approach to organize services for First Nations children on-reserve with disabilities.</p>
<p><b>5</b> Canada's May 10, 2016 compliance report (p.2) only speaks to its commitment to no longer restrict Jordan's Principle cases to children with multiple disabilities and multiple service providers but falls short of confirming that the Respondent is now applying Jordan's Principle to <u>all First Nations children as the order requires</u>.</p>	<p>Pursuant to paragraph 379 of the Tribunal's decision issued January 26, 2016, Jordan's Principle is designed to address issues of jurisdiction which can result in delay, disruption and/or denial of a good or service for First Nations children on-reserve, and further, paragraph 382 states that Jordan's Principle is meant to apply to all First Nations children. Therefore, as per the Tribunal's decision, Canada reiterates its position identified in its May 10 submission to the Tribunal</p>

<b>Caring Society Requests for Further Orders</b>		<b>INAC's Response to Requests for further Orders</b>
	<p><b>The Caring Society asks that Canada be required to confirm that INAC is applying Jordan's Principle to all First Nations children.</b></p>	that the new approach to Jordan's Principle now applies to all First Nations children living on-reserve.
6	<p>The preamble to Canada's May 10, 2016 submission (p.1) acknowledges Jordan's Principle's must apply without the case conferencing requirement, but the balance of the submission includes no action on how this has been complied with.</p> <p><b>The Caring Society asks that Canada be required to provide specific details as to what action INAC has taken to comply with the "government of first contact" provision in the CHRT order.</b></p>	Health Canada and INAC are working together to ensure the government of first contact pays for the required services that align with Jordan's Principle. On May 4th, the expanded scope of Jordan's Principle was communicated by teleconference to INAC regional Focal Points and on June 9th, INAC regional Focal Points met face-to-face in Ottawa to discuss the details of the expanded scope. INAC is in frequent contact with regional Focal Points to address questions; and all potential Jordan's Principle cases are being monitored. On May 9, 2016, an interim guidance was issued to Health Canada's regional Jordan's Principle Focal Points stating that: "the current definition of Jordan's Principle should not be used when considering whether Jordan's Principle applies in a situation involving a child with disabilities". In addition, regions were directed to "ensure that needed services for children will not be delayed due to case conferencing or policy review". Further management of any such case will be done in a manner that will ensure the appropriate service or suite of services is being implemented in a timely manner.
7	<p>Canada suggests it will manage Jordan's cases in ways that result in children receiving services in a "timely" manner fails to ensure that its management of cases in a timely manner does not result in adverse differentiation or denials of service nor does it provide any details on the management process or what timely means.</p> <p><b>Caring Society requests and order that the Respondent be required to: i) describe the process it will use to "manage" Jordan's Principle cases in detail including special procedures to respond urgent cases and cases arising outside of business hours; ii) how the public can report Jordan's Principle cases and appeal decisions; iii) how the Respondent's process ensures</b></p>	<p>There is a network of Jordan's Principle Focal Points in Health Canada and INAC offices who are trained to respond to cases should they arise. Additional training and orientation of Focal Points to the new definition and expanded scope of Jordan's Principle will begin immediately.</p> <p>If families believe they have encountered a potential Jordan's Principle case and have not been able to resolve it at the community level, they are invited to contact INAC's Regional Offices or Health Canada's Regional Offices via phone, or call the INAC public enquiries referral telephone line at 1-800-567-9604, or to submit requests to INAC's InfoPubs email address. Further details are available on INAC's website at: <a href="https://www.aadnc-aandc.gc.ca/eng/1334329827982/1334329861879">https://www.aadnc-aandc.gc.ca/eng/1334329827982/1334329861879</a>. Canada is assessing whether an off-business hour mechanism needs to be put in place.</p>

Caring Society Requests for Further Orders	INAC's Response to Requests for further Orders
<p>non-discrimination and compliance with 2016 CHRT 2 and 2016 CHRT 10; iv) Details on the training of, and direction to, government staff to ensure Jordan's Principle cases are received, assessed, and addressed in accordance with 2016 CHRT 2 and 2016 CHRT 10; and be required to provide v) quarterly public reporting on numbers of Jordan's Principle cases received, processing outcomes and times and case results.</p>	<p>As part of the three-year plan, a new service coordination function will be established and managed by independent organizations funded through Funding Arrangements to identify and address the needs of children with disabilities. Service coordinators will develop integrated care plans; connect the child and family to services; and alleviate the stress of navigating service systems. Service coordination supports a more comprehensive approach to needs assessment that goes beyond those cases requiring the intervention of a Jordan's Principle Focal Point. They will involve Jordan's Principle Focal Points as necessary to expediently address any critical service gaps.</p> <p>Data collection, tracking and reporting is a key aspect of the new approach. The proposed three-year timeframe will allow for the collection of needs and service data based on actual cases that are brought forward for dispute management and/or service coordination. This data, together with the outcomes of stakeholder engagement, will inform a longer term approach to addressing the needs of First Nations children on-reserve.</p> <p>An envelope dedicated to services for children on-reserve with disabilities has been established. This fund will be accessed by INAC and Health Canada to cover costs of services that are required to meet provincial normative standards of services when these services are not otherwise available.</p> <p>As stated above, a governance structure will be established to deal with Jordan's Principle cases when they arise. This structure will include a working level committee, as well as an Assistant Deputy Minister-level oversight mechanism at headquarters that will monitor and guide the implementation of the new application of Jordan's Principle. The ADM-level oversight mechanism will also act as an appeals body that will deal with urgent situations falling outside the standard Jordan's Principle definition. Appeals will be heard in an expeditious way to ensure children with disabilities receive services in a timely manner.</p>
8 Canada be ordered to provide the amounts allocated per item, the means by which these items were identified and relate to compliance with the Panel's rulings, the	Annex B of Canada's May 24, 2016 submission provides the amounts allocated per item across all regional models and the methodologies used to arrive at these amounts.

Caring Society Requests for Further Orders	INAC's Response to Requests for further Orders
<p>calculations used to arrive at given amounts and the data relied upon as part of the calculation.</p> <p><b>The Caring Society requests the Respondent be ordered to exclude growth in maintenance costs and costs related to INAC operations and personnel from immediate, medium and long term relief as these are regular program costs.</b></p>	<p>Growth in maintenance costs are a critical component of Program expenditures.</p> <p>The annual adjustments provided through Budget 2016 investments were calculated using growth in maintenance as a factor which will help address increased costs incurred by FNCFS service providers. INAC will provide these amounts to service providers as needed to cover all eligible expenses, including maintenance.</p> <p>Further, <u>all</u> funding under the annual adjustment will be allocated to FNCFS service providers.</p> <p>INAC's operating costs make up less than 1% of overall investments to the Program in Budget 2016.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>
<p>9 The Respondent has provided no evidence or data to support its contention that an incremental investment is legitimized by its claims in the April 6, 2016 submissions nor does it explain why such an approach was imposed on all First Nations Child and Family Service Agencies regardless of years of experience, capacity and readiness. The Respondent also fails to provide a detailed report on how it calculated the amounts for each year and what data it relied upon for such calculations for fiscal years ranging from 2016-2021.</p> <p><b>The Caring Society requests INAC be ordered to cease its incremental approach to remedying the inequality based on unsupported assumptions of agency readiness or other considerations.</b></p>	<p>Further information on how Budget 2016 investments were calculated can be found in Canada's May 24, 2016 submission in Annex B and have been further elaborated as part of this this submission.</p> <p>Past experience and discussions with funding recipients have shown that incremental funding allows FNCFS services providers enough time to hire, train and retain staff, based on the availability of qualified social workers, and expand their prevention programming.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>

**Appendix B: Caring Society's requests for further orders related to the Respondent's compliance reports**

	<b>Caring Society Requests for Further Orders</b>	<b>INAC's Response to further Orders</b>
1	<p>While the federal government recognizes the importance of “culturally-based and community-supported FNCFS programming” it provides no funding to make that possible. This will hamper First Nations child and family service providers in their provision of culturally based services and in their efforts to cost out culturally based services in the medium and long term relief stages. The federal government fails to provide an alternative strategy for ensuring culturally based equity.</p> <p><b>The Caring Society requests that the Respondent be ordered to provide each FNCFS Agency with an initial amount of \$75,000.00 for fiscal year 2016/2017 to develop and/or update a culturally based vision for safe and healthy children and families and to begin to develop and/or update culturally based child and family service standards, programs and evaluation mechanisms.</b></p>	<p>Supporting the development and/or updating of culturally-based and community-supported First Nations child and family services and programming is an important matter that Canada would like to address as part of future program reform as Canada would like to hear the voices and proposed options from FNCFS service providers.</p> <p>In addition, FNCFS service providers could utilize immediate relief investments to respond to the need for culturally-based programming and activities that respond to individual community needs.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order and allow Canada time to engage with its partners to achieve the necessary reforms.</p>
2	<p><b>The Caring Society requests that the Respondent be ordered to: Before August 31, 2016 and in a manner approved by the Canadian Human Rights Commission (hereinafter “the Commission”) and the Complainants, the Respondent must ensure that its staff and executive staff receive 15 hours of mandatory training on the Truth and Reconciliation Commission’s final report (December, 2015); the FNCFS Program (including formula development, assumptions, and program reviews); the Tribunal decision on the merits, and on the full meaning and scope of Jordan’s Principle as set out in the Tribunal’s decision on the merits and subsequent</b></p>	<p>As noted in para. 18 of its May 24, 2016 submission, Canada remains open to further discussions on improving the cultural sensitivity of its employees.</p> <p>However, the request that staff undertake specific training is beyond the scope of the Complaint and seeking to have all staff trained in this respect is overly broad.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>

Caring Society Requests for Further Orders		INAC's Response to further Orders
	decisions	
3	<p><b>1. The Caring Society requests that the Respondent be ordered to fully reimburse the following actual costs incurred by FNCFS agencies, without restrictions based on the existing funding formulas:</b></p> <p>a. legal fees related to child welfare investigations (i.e., warrants), children in care and inquiries, according to the tariff employed by the federal government for the remuneration of outside counsel, as updated from time to time;</p> <p>b. actual costs related to the receipt, assessment and investigation of child protection reports;</p> <p>c. costs of building repairs where a FNCFS agency has received from a licensed building inspector, structural engineer, fire marshal or equivalent First Nations authority a notice to the effect that repairs must be done to comply with applicable fire, safety and building codes and regulations or where there is other evidence of non-compliance with applicable fire, safety and building codes and regulations</p>	<p>Canada wants to ensure that accurate information is being collected with respect to the actual costs of these and other items that may be raised throughout the engagement process. Accordingly, Canada requests that the Tribunal allow it to work with key partners such as FNCFS agencies, communities, leadership and front-line service providers, with Provinces and Yukon territory and with the parties to this Complaint on how to address these and other issues as part of Canada's commitment to reform the Program before making a decision at this point.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>
4	<p>This year, only 51,830.765.38 will be conferred to agencies.</p> <p><b>The Caring Society requests that the Respondent be ordered to cease the practice of requiring FNCFS agencies to recover cost overruns related to increases in the number of children in care or the higher needs of children in care from the prevention and operations funding streams</b></p>	<p>Budget 2016 investments will provide FNCFS agencies with funding to address cost and growth drivers. As has always been INAC's business practice, should pressures exceed an agency's allocated budget, additional resources would be secured through INAC regional offices requesting funding pressures be considered by INAC Headquarters for additional funds.</p> <p>In addition, Program reform will involve a redesign of the Program funding models, policies and procedures.</p>

Caring Society Requests for Further Orders		INAC's Response to further Orders
		<p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>
5	<p><b>The Respondent has not shown whether or how these [immediate relief] investments will be sufficient in complying with the request, why the investment will be conferred only incrementally or the data upon which these increases were calculated.</b></p> <p><b>The Caring Society requests that the Respondent be ordered to immediately make the adjustments in the calculation of the operation and prevention budgets of FNCFS agencies, with respect to provinces and territories covered by Directive 20-1 and those covered by EPFA.</b></p>	<p>Any additional changes, updates or overhaul to Program funding formulas will be addressed through engagement with our partners as part of Program reform.</p> <p>As set out in Canada's March 10, 2016 submission (para. 16), some of the specific changes proposed by the Caring Society to the funding approach are based on dated studies and information. Should the Tribunal order Canada to implement the suggested approach, it may not meet the current day needs of First Nations children and families.</p> <p>Budget 2016 formulas were updated through a thorough process undertaken by the Department over the years and included a comprehensive cost driver study and trend analysis, based on the most current data available by jurisdiction. These updated amounts more accurately reflect the needs and requirements of the Program.</p> <p>Further information on how Budget 2016 investments were calculated can be found in Canada's May 24, 2016 submission in Annex B and are further elaborated on as part of this submission.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>
6	<p>The Respondent has not shown that it has updated the 1965 Agreement.</p> <p><b>The Caring Society requests that the Respondent be ordered to update the schedule of the 1965 Agreement to reflect the current version of the <i>Child and Family Services Act (Ontario)</i> and ensure funding for the full range of statutory services including band representatives, children's mental health and</b></p>	<p>The 1965 Agreement is between the federal government and the Province of Ontario and will require joint provincial and federal agreement to undertake changes which will need to be considered as part of mid to long-term reform.</p> <p>Approximately \$8 million will be provided to Ontario and to the Mohawk Council of Akwesasne (Quebec residents) in 2016-17. By Year 4, service providers in Ontario, including the Mohawk Council of Akwesasne, will receive approximately \$18.2 million in new investments (funding is ongoing), for a five-year investment of \$70.5 million in additional program funding.</p>

Caring Society Requests for Further Orders		INAC's Response to further Orders
	prevention services.	INAC will actively work with Ontario and First Nation partners regarding how these investments can better support prevention activities for First Nations families and children.
7	<b>The Caring Society requests that the Respondent be ordered to immediately provide \$30,000.00 to the Aboriginal Peoples Television Network to transfer the tapes of the Tribunal hearings onto a publicly accessible format and provide sufficient funds to the National Centre for Truth and Reconciliation to store and manage public access to the tapes.</b>	<p>Canada reiterates its previous submission from May 24, 2016 that the Aboriginal Peoples Television Network was not a party to the Complaint. As a non-party, the Tribunal should not grant it relief as part of the remedies. In addition, this request should not be considered as an immediate relief remedy.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>
8	<b>The Caring Society requests that the Respondent be ordered to review decisions to deny funding to support the development and operation of FNCFS Agencies particularly with regard to the applications for new agencies by the Okanagan Nation Alliance and Carcross First Nations.</b>	<p>Canada provides funding to all First Nation agencies delegated under provincial/territorial legislation to provide child and family services on-reserve. The request of the Caring Society can only be addressed through engagement and agreement with provincial and territorial governments, as well as First Nation partners.</p> <p>In addition, engagement is key to fully addressing how best to change funding methodologies to meet the needs of smaller agencies and ensure that they remain viable and operational.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>
9	<b>The Caring Society requests that the Respondent be ordered to immediately fund a new iteration of the Canadian Incidence Study of Reported Child Abuse and Neglect</b>	<p>As previously noted, Canada is supportive of providing funding for a new iteration of the Canadian Incidence Study and is now working with its partners to undertake this work; therefore, an order by the Tribunal is not necessary. Most recently, discussions were held with PHAC and researchers from McGill's Centre for Research on Children and Families on June 22, 2016.</p> <p>Therefore an order by the Tribunal is not necessary.</p>
10		Canada's position on this issue remains the same as in its May 24, 2016

Caring Society Requests for Further Orders		INAC's Response to further Orders
	<p><b>The Caring Society requests that the Respondent be ordered to cease its practice of reallocating funding from other First Nations programs to address shortfalls in First Nations child and family services, education, social assistance and other programs.</b></p>	<p>submission. Budget 2016 investments will contribute to a more stable and predictable funding environment within INAC, reducing the need for reallocations from other critical programs such as infrastructure and housing. Any commitment relating to funding for programs other than the FNCFS Program is beyond the scope of this Complaint.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>
11	<p><b>The Caring Society requests that the Respondent be ordered not to decrease or further restrict funding for First Nations child and family services or children's services covered by Jordan's Principle.</b></p>	<p>As stated at para. 4 of Canada's March 10, 2016 submission, Canada agrees not to decrease or further restrict funding for First Nations Child and Family Services or children's services covered by Jordan's Principle.</p>
12	<p><b>The Caring Society requests that the Respondent be ordered to update its policies, procedures (including FNCFS agency reporting procedures) and contribution agreements to comply with the Tribunal's order and communicate such reforms in detail and in writing to First Nations, FNCFS Agencies and the public.</b></p>	<p>Reform will involve a redesign of the Program's funding models, policies and procedures. Such work will require significant analysis and collaboration with all relevant key partners and is therefore a longer term process. In the interim, extending funding to support dedicated prevention programming in all jurisdictions will allow Canada to eliminate the outdated Directive 20-1. This represents a significant step in addressing concerns raised by the Tribunal and the parties. Canada reiterates that using existing funding mechanisms and procedures will ensure children and families continue receiving services and will prevent any disruption of these services. Canada will work with its partners to update and adjust processes as needed for next fiscal year.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>
13	<p><b>The Respondent has not shown that these [additional program investments] amounts will allow FNCFS Agencies to provide services on par with the funding received by such agencies in other provinces. The Caring Society requests that an order be issued to this effect.</b></p>	<p>Revised formulas used to support Budget 2016 investments were updated following a comprehensive cost driver study and trend analysis, based on the most current data available by jurisdiction. The aim of these investments is to ensure that services provided to First Nation children living on-reserve are equitable to those being received by children off-reserve.</p>

Caring Society Requests for Further Orders		INAC's Response to further Orders
		<p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order as best efforts are already underway to enable the provision of equitable services to First Nation children living on-reserve.</p>
14	<p><b>The Caring Society requests that the Respondent be ordered to pay an amount of \$5,000,000.00, adjusted for the compound rate of inflation from 2012 values pursuant to the Consumer Price Index, to be divided among FNCFS agencies in Ontario in proportion to the population of First Nations children residing on reserve that they serve, in order to allow them to provide prevention services.</b></p>	<p>As noted in Canada's May 24, 2016 submission, the amounts to address cost drivers and growth provided to the Program through Budget 2016 accounts for average yearly growth include: maintenance growth; agency operating costs, excluding salaries (e.g. rent, transportation, supplies and equipment); salaries; and increases in ratios of children in care.</p> <p>As part of INAC's immediate relief investment, approximately \$8.0 million will be provided to the Ontario Government and to the Mohawk Council of Akwesasne (Quebec residents) in 2016-17. By Year 4, service providers in Ontario, including the Mohawk Council of Akwesasne, will receive approximately \$18.2 million in new investments (funding is ongoing), for a five-year investment of \$70.5 million additional program funding.</p> <p>Canada respectfully requests the Tribunal not grant the Caring Society's requested order.</p>
15	<p><b>The Caring Society requests that all of the above-noted relief be made immediately.</b></p>	<p>For fiscal year 2016-17, Canada will be providing FNCFS service providers \$60.9 million; \$7.3 million, on an as-needed basis, to address agency growth; and \$2 million is also available to agencies to support the expansion of provincial case management systems on-reserve.</p> <p>Canada has previously stated that it has scaled incrementally to reflect the need to hire and train staff and to plan for the expansion of prevention services. In discussions with partners, should additional funds be requested to provide services in the short-term while long-term reform is being determined, Canada would review the circumstances and consider the need. Should pressures exceed the allocated budget, additional resources would be secured by INAC regional offices submitting requests to INAC Headquarters to receive additional funds to cover these requirements.</p>

Caring Society Requests for Further Orders		INAC's Response to further Orders
		Canada respectfully requests the Tribunal not grant the Caring Society's requested order.
16	<b>The Caring Society requests that the Respondent be ordered to provide the data relied upon to make these calculations.</b>	Further information on how Budget 2016 investments were calculated can be found in Canada's May 24, 2016 submission in Annex B and have been further elaborated as part of this this submission.

**MCU / UCM**  
**Ministerial Correspondence Unit / Unité de la correspondance ministérielle**  
**Routing Slip / Feuille de contrôle**

**Document Date / Date du document:** 2016-07-07  
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**Author /** **Mr. Charlie Angus** VIP  
**Auteur:** MP, Timmins-James Bay  
  
House of Commons  
  
Ottawa ON K1A 0A6

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**Subject / Sujet:** 271001  
Indigenous and Northern Affairs Canada - General

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**Sector's Due Date / Date d'échéance du secteur:**

**Assigned To / Assigné à:** MCU-FILE

**Assigned Date / Assigné le:** 2016-07-21

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I:  For your information (no action required) / À titre d'information (aucune mesure requise)

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CC:

CC: Minister  
CC: P. McCurry  
CC:

CC: Y. Legault  
CC: J. Gauthier  
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**House of Commons**

Room 649D Centre Block  
Ottawa, ON K1A 0A6  
Tel: (613) 992-2919  
Fax: (613) 995-0747



**Chambre des communes**  
Piece 649D, Édifice du Centre  
Ottawa, ON K1A 0A6  
Tel: (613) 992-2919  
Fax: (613) 995-0747

271001

**Timmins**

202-60 Wilson Avenue  
Timmins, ON P4N 2S7  
Tel: (705) 268-6464  
Fax: (705) 268-6460

## Charlie Angus

Member of Parliament for Timmins - James Bay  
Député de Timmins - Baie James

**Kirkland Lake**

201-30 Second Street  
Kirkland Lake, ON P2N 3H7  
Tel: (705) 567-2747  
Fax: (705) 567-5232

The Honourable Carolyn Bennett  
Minister of Indigenous & Northern Affairs  
804 Justice Building  
House of Commons  
FAX: (613) 947-4622

July 7<sup>th</sup>, 2016

RE: Jordan's Principle Phone Lines

Minister Bennett,

I am writing you regarding the claims being made on your departmental website that cases of Jordan's Principle discrimination can be handled through phone requests to Indian and Northern Affairs Canada (INAC). The website provides a series of telephone numbers for INAC regional offices across the country. It gives the impression that the department is working to be in compliance with the ruling of the Canadian Human Rights Tribunal, which has ordered immediate compliance by the government.

However, attempts to use these provided numbers shows a far from satisfactory level of compliance and service. This issue was first brought to the attention of the public by the First Nation Child and Family Caring Society who found that some numbers listed only lead to automated services that require you to leave a message, other were out of order, and on the unlikely chance that you are able to speak to someone, very few individuals are informed about Jordan's Principle and can assist callers with such matters. My office repeated this call audit on Thursday, June 30<sup>th</sup> and found that the vast majority of phone lines provided no access to anyone with the authority or knowledge to deal with a Jordan's Principle complaint.

Phone lines are crucial to allow the public to report Jordan's Principle cases. Without them, children's safety and wellbeing is at risk. This is a form of service denial that results from the improper implementation of Jordan's Principle.

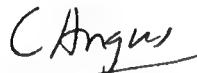
A 24 hour bilingual reporting line should be set up immediately, with translation services available for First Nation languages. This line should be proactively publicized by INAC and government officials to ensure that the public is well informed about these processes and to ensure that children receive the urgent care that they deserve.

201-30 Second Street  
Kirkland Lake, ON P2N 3H7  
Tel: (705) 567-2747  
Fax: (705) 567-5232

If these problems persist, the Canadian government will not be in compliance with the Canadian Human Rights Tribunal orders (2016 CHRT 2; 2016 CHRT 10) to immediately and properly implement Jordan's Principle since there is no way for the public to report these cases.

Failure to respond to these problems will strengthen the impression that this government is providing lip service to implementing the order of the Human Rights Tribunal while providing no proper funding or resource support.

With greatest respect,



Charlie Angus  
MP Timmins – James Bay

cc: Hon. Justin Trudeau, Prime Minister & Minister of Youth  
Hon. Jody Wilson-Raybould, Justice Minister

Charlie Angus, M.P. / député

Timmins - James Bay



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA  
K1A 0A6

The Honourable Jody Wilson-Raybould  
451 S Centre Block  
House of Commons

**To:** [REDACTED]; Minister - Ministre[Minister-Ministre@justice.gc.ca]; Saville, Suesan[Suesan.Saville@justice.gc.ca]; Legault, Yanike[Yanike.Legault@justice.gc.ca]; Gauthier, Julie[Julie.Gauthier@justice.gc.ca]; Gagné, Chantal[Chantal.Gagne@justice.gc.ca]; McCurry, Pam[Pam.McCurry@justice.gc.ca]  
**From:** Poirier, Nathalie  
**Flag Status:** 0x00000000  
**Subject:** ECC: 16-016250 Incoming VIP Chalie Angus

16-016250 Incoming(1).pdf

Attached FOR INFORMATION ONLY is your copy of an incoming ministerial letter.

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Ci-joint, vous trouverez copie d'une lettre ministérielle À TITRE INFORMATIF SEULEMENT.

**Ministerial Correspondence Unit, Department of Justice**  
**Unité de la correspondance ministérielle, Ministère de la Justice**  
**mcu@justice.gc.ca**

**From:** Kropp, Douglas  
**Sent:** Monday, July 25, 2016 3:11 PM  
**To:** 'Latham, Jane (HC/SC)'  
**Subject:** [REDACTED]

Hi Jane,

[REDACTED]

Doug

**s.23**

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**From:** Latham, Jane (HC/SC) [mailto:[jane.latham@canada.ca](mailto:jane.latham@canada.ca)]  
**Sent:** July 25, 2016 2:31 PM  
**To:** Kropp, Douglas <[Douglas.Kropp@justice.gc.ca](mailto:Douglas.Kropp@justice.gc.ca)>  
**Subject:** [REDACTED]

Hi Doug – [REDACTED]

Jane

**ACTION REQUEST - DEMANDE D'ACTION**

s.23

REQUESTOR'S NAME - NOM DU DEMANDEUR Jesse Jodoin	DATE 2016-07-25	NUMBER - NUMÉRO 16-108622-378
---	--------------------	----------------------------------

REQUEST ORIGIN - ORIGINE DE LA DEMANDE Deputy Minister's Office/Cabinet du Sous-Ministre
SUBJECT - OBJET Jesse Jodoin
URGENT: [REDACTED]

REQUEST - DEMANDE (YYYY-MM-DD) (1)Date: 2016-07-25
---

FNIHB / LEGAL:
The Minister and Deputy Minister have been invited to the next Litigation Strategy Working Group (LSWG) meeting. In order to prepare for the LSWG meeting, [REDACTED] is scheduled for Wednesday July 27, 2016.

s.69(1)(g) re (a)

FNIHB:
[REDACTED]

s.23

Description: [REDACTED]
[REDACTED]

LEGAL:
[REDACTED]

Description: Minister Wilson-Raybould's mandate letter instructs her to review the government's litigation strategy. There are several goals to this initiative, including to ensure that a broad financial and policy perspective is brought to the litigation strategy review; to advance a more strategic approach to litigation that reflects Government's priorities and values; to enhance awareness of significant litigation developments and legal trends; and to identify areas for contingency planning and monitor Government's readiness to respond to adverse litigation outcomes. In order to accomplish this, a Litigation Strategy Working Group (LSWG) was established which is composed of core members (Minister Wilson-Raybould, Minister Morneau and Minister Leblanc), supported by officials. Additional Ministers are invited on an ad hoc basis, depending on the subjects discussed.
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Please provide requested information (format at your discretion) to MBU by noon on Tuesday, July 26, 2016

(2)Date:
(3)Date:

English/Anglais
-----------------

REQUIRED ON - REQUIS LE Date: 2016-07-26	AT - À Time: 12:00 PM
DEPARTMENTAL CONTACT - AGENT DE LIAISON DU MINISTÈRE Jesse Jodoin	TELEPHONE NUMBER - NUMÉRO DE TÉLÉPHONE 613-948-4621